

**THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA
RAO**

WRIT PETITION No.13980 of 2016

ORDER:

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Heard the learned counsel for petitioners and Sri K.R. Koteswara Rao, learned Standing counsel for respondent.

2. The grievance of the petitioners in this Writ Petition is that the officials of the respondent Board are threatening to evict the petitioners from the land under their occupation without following due process of law.

3. Learned Standing Counsel for respondent states that public notice has been issued to petitioners and others to remove encroachments on public roads within Cantonment area causing obstruction to the traffic, and Section 257 of Act is sought to be invoked by the respondents.

4. In the light of the respective submissions, the respondent is directed to issue notices to the petitioners, if it is of the opinion that the petitioners have encroached any part of the road, within one week from the date of receipt of a copy of this order. If such notice is issued, the petitioners shall reply thereto within three (03) weeks

thereafter. On receipt of petitioners' reply to the show cause notice, the respondent shall pass a reasoned order and communicate the same to petitioners. The respondent shall not interfere with the possession and enjoyment of the petitioners over the subject property till final order is passed by respondent. If the petitioners do not reply to the show cause notice issued by the respondent within the specified period, it is open to respondent to proceed further in accordance with law.

5. The Writ Petition is disposed of with the above directions. No costs.

6. As a sequel, miscellaneous petitions pending if any, in this Writ Petition shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date: 22-04-2016

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