

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.4162 of 2016

BETWEEN

M. Sudha Rani.

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 10.02.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner was given a show cause notice dated 21.01.2016 under Section 7 of the Land Encroachment Act requiring her to show cause and the said notice was replied to under reply dated 30.01.2016. The impugned notice is, however, challenged on the ground that earlier in 2012 a similar notice was issued and after the explanation of the petitioner and survey report of the fifth respondent, further action was dropped. However, the fourth respondent has again issued the impugned order. Petitioner also states that the fourth respondent has already conducted survey and without considering the explanation, coercive action of dispossession is likely to be taken.

2. I do not see any reason to entertain the writ petition against a show cause notice, particularly, when the petitioner has given a reply and also as the petitioner is not able to make out any ground impinging on the jurisdiction of the fourth respondent in taking action under Section 7 of the Land Encroachment Act.

3. In view of that, the fourth respondent is directed to consider the explanation of the petitioner and pass a reasoned order on the decision, which he, ultimately, takes in the matter. Pending passing of the appropriate order, neither petitioner shall be dispossessed nor possession of the petitioner with respect to the property covered by the impugned show cause notice shall be otherwise interfered with.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 10, 2016/DSK