

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15250 OF 2016

ORDER :

The case of the petitioner is that he is in possession of the property bearing Plot No.128/A admeasuring 250 sq.yards in Sy.No.69 and 70 situated at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District having purchased the same under registered sale deed No.4113 of 1991 dated 15.05.1991. While so, the 2nd respondent issued Notice No.B/18/2010-32-06 dated 21.01.2016 under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905 (for short 'the Act') to the petitioner holding that he is in unauthorized occupation of the Government land to an extent of 235 sq.yards in Sy.No.91 under Section 24 of Andhra Pradesh (T.A) Land Revenue Act, 1317 Fasli and was asked to submit objections on or before 31.01.2016. In pursuance to the said notice, petitioner submitted his explanation on 30.01.2016 along with necessary documents. But the 2nd respondent without considering the same, is trying to evict him from the property. Aggrieved by the action of the 2nd respondent the present writ petition is filed.

Learned counsel for the petitioner submits that in similar circumstances this Court disposed of W.P.No.4162 of 2016.

Heard the learned Assistant Government Pleader for Revenue.

Having issued notice on 21.01.2016, it is not open for the 2nd respondent to dispossess the petitioner from the property without passing final orders under Section 6 of the Act. In view of the same, the 2nd respondent is directed to consider the explanation of the petitioner submitted on 31.01.2016 and pass appropriate orders thereon in accordance with law. Till such time, status-quo obtaining as on today shall be maintained.

With the above direction, the writ petition is disposed of. There

shall be no order as to costs. As a sequel, miscellaneous petitions, pending, if any shall stand closed.

A.RAJASHEKER REDDY, J

01.06.2016

Note:

Issue CC by two days

(B/o) dv