

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18062 OF 2016

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ORDER:

This writ petition is filed against the impugned notice dated 04.05.2016 issued under Section 7 of the Land Encroachment Act, 1905, wherein the petitioner was asked to evict the subject land within seven days.

Learned counsel for the petitioner submits that earlier a notice was issued to the petitioner in the year 1985 and the petitioner has also submitted his explanation, but, the respondents without passing any orders on the same, issued present impugned notice after a long lapse of thirty years. He also submits that at present there is standing crop of Mango in the subject land.

Heard learned counsel for the petitioner.

This Court normally will not interfere with the notice, unless it is issued without jurisdiction. In view of the same, it is open for the petitioner to submit explanation to the impugned notice dated 04.05.2016, within a period of three weeks from today and on receipt of explanation from the petitioner, the 3rd respondent may consider the same and pass final orders under Section 6 of the Land Encroachment Act, 1905 and take action accordingly. Till such exercise is done, *Status quo* obtaining as on today shall be maintained. However, if the petitioner fails to submit explanation, it is open for the respondents to take appropriate action .

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending
in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

08.06.2016

Note:

Issue CC in three days.

B/o.tk