

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15246 OF 2016

ORDER :

The case of the petitioner is that she is in possession of the property bearing Plot No.133 admeasuring 234 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 dated 08.04.1996. While so, the 2nd respondent issued Notice No.B/18/2010-32-10 dated 19.10.2012 under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905 (for short 'the Act') to the petitioner holding that she 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 29.10.2012. In pursuance to the said notice, petitioner submitted her explanation on 28.10.2012 along with necessary documents. But the 2nd respondent without considering her explanation, once again issued similar notice on 21.01.2016 asking her to submit explanation on or before 31.01.2016 and petitioner submitted explanation on 05.02.2016. Aggrieved by the notice issued by the 2nd respondent on 21.01.2016, 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 05.02.2016 and pass appropriate orders thereon in pursuant to the notice dated 21.01.2016. 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