

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18965 OF 2016

ORDER:

It is the case of the petitioner that he is the owner and absolute possessor of the land to an extent of Ac.0.05 gts in Sy.No.525/A, Ac.1.07 gts in Sy.No.550/E, Ac.0.03 gts in Sy.No.551/A, Ac.1.18 gts in Sy.No.539/AA/2 situated at Gollapalli Village and Mandal, Karimnagar District. The said property is an ancestral property of the petitioner. He is cultivating the same and eking out his livelihood. The 3rd respondent, without conducting any survey or enquiry and without demarcating the Government land in Sy.No.735, issued notice No.B/308/2011, dated 11.02.2015 under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905 to the petitioner stating that he has encroached the Government Land to an extent of Ac.0.11 gts in Sy.No.735 of Gollapally Village and Mandal, Karimnagar District. In response to the aforesaid notice, petitioner submitted explanation on 14.02.2015 stating that petitioner has not encroached the Government land in Sy.No.735. Without considering the explanation of the petitioner, the respondents are trying to dispossess the petitioner from his land. Aggrieved by the same, present writ petition is filed.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

3. Learned Assistant Government Pleader for Revenue produced written instructions dated 15.06.2016 stating that petitioner himself wanted to survey of the lands. Basing on his request, dates were fixed for fixing the boundaries and demarcating the land in dispute. But the petitioner did not turn up on the date fixed for fixing the boundaries and demarcation of the land in dispute.

4. Now, it is to be seen that as per the written instructions produced by the learned Assistant Government Pleader for Revenue, the respondent authorities intended to demarcate the government land in Sy.No.735. It is for the petitioner to approach the authorities for fixing the boundaries in respect of the disputed land. The respondent authorities shall intimate the petitioner the date fixed for fixing the boundaries and demarcation. If petitioner does not cooperate for fixing boundaries and demarcation, it is open for the respondent authorities to fix the boundaries and proceed with the matter, in accordance with law. Till such exercise is undertaken, the respondent authorities shall not evict the petitioner from his land.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

20-06-2016
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