

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43402 OF 2016

ORDER:

This Writ Petition is filed challenging the show-cause notice, dated 09.12.2016, issued in Form-A under the provisions of Section 4(1) of Andhra Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1968.

Learned counsel for the petitioner submits that no details are mentioned about the description of the property in the show-cause notice. He also submits that the petitioner has constructed house and house number is also allotted and as such, the respondents cannot issue the present show-cause notice.

Learned Standing Counsel for Singareni Collieries submits that the impugned notice is only a show-cause notice and the petitioner can raise all his objections in his explanation to the show-cause notice and no interference is warranted at this stage.

Learned counsel for the petitioner relied on some judgments, but a perusal of the same goes to show that they were rendered in the cases where orders are passed pursuant to the explanation offered to the show-cause notices. Learned counsel for the petitioner also stated that since holidays intervened in between, the petitioner could not file his explanation and that in similar circumstances, this Court disposed

of W.P.No.13293 of 2014 on 25.04.2014, and sought some more time for filing explanation.

Normally, this Court will not interfere at the stage of show-cause notice, unless the same is without jurisdiction. But, in view of the above facts and circumstances, it is left open to the petitioner to submit his explanation to the show-cause notice, dated 09.12.2016, within a period of two weeks from today and he can raise all his objections in the explanation. After filing such explanation, respondent No.2 shall consider the same and pass appropriate orders, after giving opportunity of hearing to the petitioner, in accordance with law. *Status quo* obtaining as on today shall be maintained for a period of two weeks, even after passing of the order by respondent No.2.

Subject to the above, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

December 15, 2016.

Note: Issue C.C. in three days.
B/o.MD