

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.39020 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“... declaring the action of the respondents in not evicting the 5th respondent pursuant to the orders of the 3rd respondent in proc.No.D/879/2015 Dt.07.09.2016 from her illegal possession of the land in Sy.No.65/21/1 of Ravindranagar village, without disposing of petitioner's objections Dt.25.09.2016 to the show cause notice Dt.21.09.2016 in R.C.No.41/2016 as highly illegal, arbitrary, capricious, and contrary to the order of the 3rd respondent and consequently direct the 4th respondent to evict the 5th respondent and restore possession of the land to an extent of 5 acres in Sy.No.65/21/1 of Ravindranagar village to the petitioner.”

2. Since this Court is not adjudicating the case on merits, it is not necessary to issue notice to respondent No.5.

3. Though various grounds are raised in the Writ Petition, learned counsel for the petitioner seeking a direction to the 4th respondent to dispose of the objections, dated 25.09.2016, filed by the petitioner to the show cause notice, dated 21.09.2016 in R.C.No.41/2016, as early as possible.

4. A perusal of the record would show that aggrieved by the show cause notice, dated 21.09.2016, the 5th respondent herein filed W.P.No.33207 of 2016, wherein the petitioner herein was not a party to the said Writ Petition. This Court, by an order, dated 29.09.2016, disposed of the said Writ petition, the operative portion of the order reads thus:

“Since the explanation of the petitioner dated 22.09.2016 to the Form-II notice is pending with the 4th respondent, the 4th respondent is directed to consider the explanation of the petitioner while passing final orders. Till then, there shall be stay of dispossession of the petitioner from the subject property.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition shall stand closed.”

5. Now the petitioner filed the present Writ Petition seeking to dispose of the objections, dated 25.09.2016, filed by the petitioner to the show cause notice, dated 21.09.2016, in R.C.No.41/2016.

6. Having to regard to the same, the Writ Petition is disposed of directing the 4th respondent-Tahsildar, Chintala Manepally Mandal, Kommurambheem-Asifabad District, to dispose of the objections, dated 25.09.2016, filed by the petitioner to the show cause notice, dated 21.09.2016, in R.C.No.41/2016, as early as possible, preferably within a period of three (03) months from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

NOVEMBER 11, 2016

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THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR



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Date:11.11.2016

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