

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35034 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Asst. Government Pleader for Revenue. With their consent, the Writ Petition is disposed of at the stage of admission itself. There is no necessity to put the 4th respondent on notice as this Court is not venturing to adjudicate the issue on merits.

The case of the petitioner is that he was issued a notice dated 28.09.2016 under Section 7 of the A.P. Land Encroachment Act, 1905 (for short 'the Act') by the 3rd respondent and in pursuance of the same, the petitioner submitted his explanation on 13.10.2016. However, without passing any final orders under Section 6 of the Act, the respondents are trying to demolish the petitioner's property. Hence, the present writ petition.

Having issued the notice, the respondents cannot dispossess the petitioner from the subject property or demolish the property, without passing final orders under Section 6 of the Act.

In view of the same, the 3rd respondent is directed to pass final orders under Section 6 of the Act, if not already passed, after considering the explanation submitted by the petitioner pursuant to the notice dated 28.09.2016, in accordance with law. If the 3rd respondent has not passed any orders till date, *status quo* as on today with regard to possession shall be maintained by the parties, till the date of passing order to the notice dated 28.09.2016.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

C. PRAVEEN KUMAR, J

Date: 18.10.2016

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