

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.6923 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for respondents.

2. In this Writ Petition, the grievance of the petitioners is that notices under Section 7 of the Land Encroachment Act, 1905 have been issued to the petitioners to show cause why the petitioners shall not be evicted from the lands in their occupation.
3. Learned counsel for the petitioners submits that the petitioners have submitted their explanations to the said show cause notices on 10-09-2014. He further states that the respondents, without passing final orders under Section 6 of the said Act, are attempting to dispossess the petitioners from the lands in their occupation.
4. The learned Government Pleader for Revenue states that the respondents would consider the explanations submitted by the petitioners to the show cause notices dt.01-08-2014 issued to them, pass orders thereon and then only take further action in the matter.
5. In W.P.S.R.No.17326 of 2015 on 25-11-2015, this Court, in similar circumstances, directed 4th respondent to consider objections filed by each of the petitioners in response to the notices under Section 7 of the Act issued by him and take appropriate decision and pass a reasoned order in accordance with law. It further directed that till such decision is taken, the petitioners shall not be dispossessed from the subject land.

6. In view of the said order and in the facts and circumstances of the case, this Writ Petition is also disposed of directing 4th respondent to consider objections filed by each of the petitioners in response to the notices under Section 7 of the Act and take appropriate decision by passing a reasoned order in accordance with law. Till such decision is taken, the petitioners shall not be dispossessed from the subject land. No costs.
7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 03-03-2016

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