

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.5551 of 2016

ORDER:

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

The petitioner questions the notice dated 06.02.2016 – Ex.P1, issued under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905 (for short, 'the Act'), by the Tahsildar, Jammikunta Mandal, Karimnagar District, the 3rd respondent. The petitioner submits that he has given reply on 11.02.2016 and that without considering the same, the impugned notice of eviction cannot be issued.

I do not think the apprehension of the petitioner is justified inasmuch as the 3rd respondent has given notice to the petitioner, who, in turn, has submitted his reply, and that the 3rd respondent is bound to consider the same and take appropriate decision in the matter. Since the 3rd respondent has not considered the petitioner's reply so far, he shall not dispossess the petitioner from the subject land till he passes appropriate orders in accordance with the provisions of the Act.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date:22.02.2016

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