

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37520 of 2016

ORDER:

Petitioner challenges notice Lr.No.1/2016 dated 12.07.2016 issued by the third respondent as illegal and without jurisdiction.

2. I have heard the learned counsel appearing for all the parties. *Prima facie*, this Court is of the view that on some apprehension the challenge to notice is conceived in the instant writ petition. It is evident from annexures P1, P6, P7 and P8 that the third respondent, who dealt with the alleged encroachment of Grama Kantam by petitioner, has already issued notice, received explanation and now further steps are required to be taken by him. At this juncture, this Court does not see any reason to entertain the writ petition.

3. The other allegations against respondents 4 and 5 are not considered at this stage of the matter for the petitioner has to independently prove right and title to land on which the building is constructed and that construction was made after obtaining permission from third respondent. These are matters for verification.

4. Hence, the writ petition is disposed of by directing the third respondent to pass final orders on notice dated 12.07.2016 within four (4) weeks from the date of receipt of copy of this order. In the meantime, the construction or possession of petitioner vis-à-vis the subject matter of notice shall not be interfered with. It is made clear

that the petitioner shall not make further construction pending final orders in this behalf.

As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

November 2, 2016
DSK

