

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15471 OF 2016

ORDER:

The case of the petitioner-Sri Sammakka Sarakka Devalayam, is that the respondents issued notice dated 20.04.2016 under Section 7 of the A.P.Land Encroachment Act, 1905 (*for short 'the Act'*), asking the petitioner to vacate the subject land within 15 days from the date of receipt of such notice, which is being challenged in the present writ petition.

Learned counsel for the petitioner submits that after filing of this writ petition, explanation is filed on 04.05.2016, but without passing any orders, the respondent authorities are trying to evict the petitioners.

Learned Assistant Government Pleader for Revenue submits that no copy of explanation is annexed to the writ petition and there is no acknowledgment regarding receipt of explanation.

Normally, this Court will not interfere at the stage of show cause notice, unless it is without jurisdiction. Since already notice is issued by the 3rd respondent on 20.04.2016 and since explanation dated 04.05.2016 is stated to be filed by the petitioner, the 3rd respondent is directed to pass orders considering the explanation of the petitioner and after giving opportunity of hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order. Till orders are passed under Section 6 of the Act, *Status quo* obtaining as on today shall be maintained.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

01.06.2016
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