

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
WRIT PETITION Nos.20102 OF 2005 AND 12834 OF 2006

COMMON ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

These writ petitions arise out of the judgment dated 30.12.2004 passed by the Special Court under the A.P. Land Grabbing (Prohibition) Act, 1982, in L.G.C. No.106 of 1997. *Interim* orders of *status quo* were passed in both the writ petitions and are still subsisting.

Perusal of the judgment under challenge reflects that the Special Court took up the case *suo motu* on the basis of a news item. In the light of the decision of this Court in Mohd. Qasim v. Special Court constituted under the A.P. Land Grabbing (Prohibition) Act, 1982¹, the Special Court has no power to *suo motu* take cognizance of an act of land grabbing and initiate proceedings under the statute. In that view of the matter, the judgment under challenge is bereft of jurisdiction.

The writ petitions are accordingly allowed setting aside the judgment dated 30.12.2004 passed by the Special Court in L.G.C. No.106 of 1997. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

Dr. SHAMEEM AKTHER, J

31st August, 2017

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¹ W.P. Nos.6268 and 1485 of 2005 dated 08.06.2007