

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.22685 of 2017

ORDER:

It is submitted by the learned Counsel for the petitioners that the petitioners also stand on the same footing as that of the petitioners in W.P.No.13338 of 2017, wherein this Court disposed of the Writ Petition filed by the persons who were issued a notice under the Andhra Pradesh Land Encroachment Act, and this Court disposed of the said Writ Petition on 17.04.2017, in the following terms:

“I have perused the material available on record and taken note of the submissions of Mr.Tata Singaiah Goud, counsel for petitioners. *Prima facie* this Court is of the view that challenge to show cause notice dated 16.03.2017 is not made out. Further, explanation is submitted and the issue is required to be considered legally and objectively by 2nd and 3rd respondents. Having regard to the contents of show cause notice and also the assignment said to have been granted in favour of petitioners was in 1972, I am satisfied that the writ petition can be disposed of by this order.

The petitioners are given liberty to file additional representation requesting for grant of assignment of land, in the event the 3rd respondent takes a decision to order eviction of the petitioners. Such request is positively and favourably considered by 2nd and 3rd respondents while passing orders in this behalf. Till a comprehensive decision is taken and communicated *status quo* as regards possession of subject matter of land is directed to be maintained. The exercise referred to above shall be undertaken and carried out within two months from today. It is made clear that as the removal of occupation is purportedly for restoring the water body, the 2nd and 3rd respondents are directed to ensure that further assignment of subject matter of writ petition is not considered to third parties, and the water body is restored to its prime.”

In view of the above, this Writ Petition is also disposed of as aforesaid. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

11.07.2017

vs