

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18087 OF 2016

ORDER :

This writ petition is filed challenging the notice issued by the 3rd respondent vide R.C.No.B/424/2016, dated 30.05.2016 under Section 7 of the A.P. Land Encroachment Act, 1905.

It is the claim of the petitioners that they are absolute owners and possessors of subject residential house cum shops situated at Gandhi Bazar, Anantapur and that they are residing there for more than 150 years. It is also stated that the petitioners have no other source of income except the income derived from the shops. While so, the present impugned notice was issued by the 3rd respondent calling upon the petitioners to explain as to why they shall not be evicted from the subject premises.

Counter affidavits are filed by the 3rd and 4th respondents stating that the subject land falls under road poramboke as per Town Survey Records.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

This Court will not go into the merits of the case since the impugned notice is only a show-cause notice and it is for the petitioners to raise all their objections before 3rd respondent.

In view of the same, it is for the petitioners to submit explanation to the impugned show-cause notice issued by the 3rd respondent, within a period of four weeks from today, if not already submitted. On submission of said explanation, the 3rd

respondent shall issue notice to the petitioners and after affording an opportunity of hearing, pass final orders. Till passing of final orders, interim order granted by this Court on 10.06.2016, which was extended from time to time, shall continue. If the petitioners fail to file explanation within the aforesaid period, it is for the 3rd respondent to take appropriate action, in accordance with law.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

07.02.2017
kvs



A.RAJASHEKER REDDY, J

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18087 OF 2016



Date: 07.02.2017

kvs

