

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3672 OF 2017

ORDER:

The case of the petitioner is that she was issued show cause notice in B/1345/2015 dated 05.02.2016 by the 3rd respondent for breach of condition under Section 3(b) B.S.O. 15(p) of assignment laws. Pursuant to the said notice, the petitioner submitted explanation on 11.02.2016. But the 3rd respondent without considering the explanation of the petitioner issued a Memo dated 07.04.2016 vide No.1345/2016 stating the application of the petitioner is rejected. Basing on the said memo, the respondents are trying to dispossess the petitioner. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner and he learned Assistant Government Pleader for Revenue.

A perusal of the impugned memo dated 07.04.2016 goes to show that it does not refer to the notice issued to the petitioner on 05.02.2015 and also explanation filed by the petitioner on 11.02.2015. It is as vague as it can be. It also appears that the impugned memo is issued without notice to the petitioner.

In view of the above facts and circumstances, the impugned memo dated 07.04.2016 is set aside and the 3rd respondent s directed to pass final orders in pursuant to show cause notice dated 05.02.2016, after giving an opportunity of hearing to the petitioner and also considering the explanation of

the petitioner. Till passing of final orders, the petitioner shall not be dispossessed from the subject land.

With the above direction, the writ petition is allowed. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

06.03.2017
dv

