

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10439 OF 2017

ORDER:

This writ petition is filed challenging the notice dated 14.03.2017 issued by the 4th respondent under Section 7 of the A.P.Land Encroachment Act, 1905.

Learned counsel for the petitioner submits that he purchased the agricultural land to an extent of Ac.0.24 guntas in Survey No.1246/A/E, situated at Mulugu Village through unregistered sale deed and that the petitioner was also issued pattadar pass book and title deed, after entering his name in the revenue records. As such, the respondent authorities have no authority to issue notice for eviction of the petitioner. He relied on the Judgment rendered by this Court in ***District Collector, Rangareddy District v. K.Narasimha Rao and others***¹.

Learned Assistant Government Pleader for revenue submits that the petitioner has already filed explanation to the notice dated 14.03.2017.

It is to be seen that no order is passed by the respondents as on today and having submitted explanation, the petitioner could have waited till the order is passed by the 4th respondent and could have taken all these objections which are raised herein, before the 4th respondent.

¹ 1997 (4) ALT 428 (DB)

In view of the same, the 4th respondent is directed to pass orders under Section 6 of the Land Encroachment Act, 1905, taking into account the objections raised by the petitioner and after affording opportunity of hearing to the petitioner. Till passing of such order, *Status quo* obtaining as on today shall be maintained regarding possession of the properties.

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

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

22.03.2017

Note: Issue cc in two days.

B/o. t k.



A.RAJASHEKER REDDY, J