

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.22385, 22391 AND 22460 OF 2017

COMMON ORDER:

All the three writ petitions are being disposed of by this common order as they relate to the orders passed by the first respondent, dated 21.02.2017 declaring the petitioners as encroachers of wakf property and proposing to take consequential steps for their eviction

The only ground raised by the petitioners is that though they submitted explanation to the notice issued to them through their counsel, the counsel was not heard and even otherwise also, the explanation was not taken into account while passing the impugned order.

This Court carefully perused the sequence of events and the explanation submitted by the petitioners.

A perusal of the impugned orders shows that the explanation submitted by the petitioners was not considered and hence, this Court is satisfied that the impugned orders deserve to be set aside. Accordingly, the impugned orders are set aside and the first respondent is directed to hold an enquiry on 24.07.2017, where the petitioners undertake to appear either by themselves or by their counsel without any further notice and the first respondent shall pass orders after considering the explanation, arguments and the documents, if any, produced by the petitioners on that day.

The writ petitions are accordingly allowed by setting aside the impugned order and remanded the matter to the first respondent.

Miscellaneous petitions, if any, pending in these writ petitions, shall stand closed.

A.RAMALINGESWARA RAO, J

07.07.2017

Note: Issue order copy by 12.07.2017
(By order)
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