

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT. JUSTICE T.RAJANI**

Writ Appeal No.1021 of 2017

JUDGMENT: (per Hon'ble the Acting Chief Justice Sri Ramesh Ranganathan)

It is wholly unnecessary for us to examine the matter on merits as Sri P.V.S.S.Rama Rao, Learned Counsel for the respondent-writ petitioner, would fairly state that, since the order of the Learned Single Judge allowing the Writ Petition was passed at the stage of admission without the appellants being given an opportunity of filing a counter-affidavit, it would suffice if the order under appeal is set aside and the Writ Petition is restored to file for the matter to be adjudicated afresh after the appellants file their counter-affidavit. Learned Government Pleader for Forests readily agrees for such an order to be passed.

The order under appeal is set aside and the Writ Petition is restored to file. The appellants shall file their counter-affidavit within two weeks from today. It is open to Sri P.V.S.S.Rama Rao, Learned Counsel for the respondent-writ petitioner, to request the Learned Single Judge to take up the matter for admission on any day after two weeks. The Writ Appeal stands disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. No costs.

RAMESH RANGANATHAN, ACJ

T.RAJANI, J

Date:24.07.2017.