

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1462 OF 2017

ORDER:

The case of the petitioners is that they were issued notice dated 27.07.2015 under Section 7 of the Land Encroachment Act, 1905 (for short 'the Act') in respect of the land admeasuring Ac.1-25 cents in R.S.No.612 of Kaikaram Village, Unguturu Mandal, West Godavari District and petitioners have submitted explanation to the same. Without considering the explanation filed by the petitioners, the respondents are trying to evict the petitioners vide proceedings in Letter No.72T dated 01.11.2016. Aggrieved by the same, the present writ petition is filed.

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

It is to be seen that having issued notice on 27.07.2015 and for which the petitioners have already filed explanation, it is for the 3rd respondent to consider the same and pass orders after giving opportunity of hearing to the petitioners.

In view of the same, the 3rd respondent is directed to pass final orders in pursuant to the notice dated 27.07.2015 after giving opportunity of hearing to the petitioners, if not already passed. Till passing of such orders under Section 6 of the Act, *status-quo* obtaining as on today shall be maintained in respect of the land admeasuring Ac.1-25 cents in R.S.No.612.

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

A.RAJASHEKER REDDY,J

31.01.2017

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