

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.27215 of 2017

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

2. Petitioner's grievance is that a show cause notice had been given on 02-11-2015 to the petitioner by 3rd respondent on behalf of 2nd respondent under Section 166-B of the A.P. (Telangana Area) Land Revenue Act, 1317 Fasli (for short 'the Act'); petitioner had given explanation thereto; that arguments were heard by 2nd respondent on 29-07-2017; and that without passing a final order by 3rd respondent, 2nd respondent had issued another notice on 20-07-2017 purporting to exercise power under Section 166-B of the Act again.

3. The learned Government Pleader for Revenue states that the said show cause notice dt.20-07-2017 is in continuation of the show cause notice dt.02-11-2015 issued by 3rd respondent,

4. Learned counsel for the petitioner states that the very exercise of power under Section 166-B is without jurisdiction.

5. It is not the case of the petitioner that some other authority is vested with the jurisdiction under Section 166-B and not 2nd respondent. So this plea cannot be accepted.

6. Therefore granting liberty to the petitioner to give explanation to the show cause notice dt.20-07-2017 issued by 2nd respondent within three weeks from the date of receipt of a copy of this order and the 2nd respondent is directed to pass orders after providing a personal hearing also to the petitioner within eight weeks from the date of submission of explanation by the petitioner to the show cause notice dt.20-07-2017. It is made clear that if no explanation is furnished by the petitioner within the time aforesaid, it is open to 2nd respondent to proceed with *ex parte* order.

7. With the above directions, the Writ Petition is disposed of. No costs.

8. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 30-10-2017
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