

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO. 34592 OF 2017

DATED: 16.10.2017

Between:

Goddu Kannayya

.. Petitioner

And

The State of Andhra Pradesh
and three others

. Respondents



HON' BLE SRI JUSTICE P. NAVEEN RAOW.P. No. 34592 of 2017ORDER:-

The petitioner claims that he is in possession and enjoyment of Ac.0.1½ cents of land in Sy.No. 17/3 situated in Inada village, Padmanabham Mandal, Visakhapatnam District. Alleging that the petitioner is in encroachment of the Government land, the 4th respondent – Tahsildar issued a Notice under Section 7 of the Land Encroachment Act (for brevity "the Act") to the petitioner who submitted his explanation / representation dated 14.09.2017 to the notice. At this stage and even before orders are passed on the explanation of the petitioner, this writ petition is filed.

2. The learned counsel for the petitioner contends that even though no orders are passed on consideration of the explanation of the petitioner, the respondents are trying to dispossess the petitioner from the subject property.

3. The learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue appearing on behalf of the respondents have agreed to the disposal of the writ petition with a direction to the Tahsildar, Padmanabham Mandal to pass appropriate orders on the explanation dated 14.09.2017 submitted by the petitioner to the Notice under

Section 7 of the Act and until orders are passed, no coercive steps shall be taken against the petitioner.

4. In view of the above, the writ petition is disposed of directing the 4th respondent – Tahsildar to examine the explanation dated 14.09.2017 said to have been submitted by the petitioner and the Notice issued under Section 7 of the Act and until appropriate orders are passed on the Notice under Section 7 of the Act and consequential Notice issued under Section 6 of the Act, no coercive action shall be taken against the petitioner. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

16.10.2017

Note:
Issue CC in three days.

(B/ o)
bcj

P. NAVEEN RAO, J