

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.42383 OF 2017

ORDER:

This Writ Petition is filed seeking to declare the action of respondent No.2 in issuing the notice vide E.C.No.18 of 2017, dated 01.12.2017, under Section 4 (1) of the A.P. Public Premises (Eviction of Unauthorised Occupants) Act, 1968 and Amended Act 15 of 1986, as illegal and arbitrary.

2. Heard learned counsel for the petitioner and Sri J. Srinivas Rao, learned Standing Counsel appearing for the respondents.

3. The case of the petitioner is that he was issued show-cause notice on 01.12.2017 under Section 4 (1) of the A.P. Public Premises (Eviction of Unauthorised Occupants) Act, 1968 and Amended Act 15 of 1986. He filed explanation to the same on 05.12.2017. But, without passing any orders on the same, the respondents are trying to dispossess the petitioner from the subject property. Aggrieved by the same, the present Writ Petition is filed.

4. Learned Standing Counsel appearing for the respondents would submit that the Writ Petition is pre-mature and cannot be entertained, as it is directed against the show-cause notice.

5. It is to be seen that the petitioner is not challenging the jurisdiction of the authorities in issuing the show-cause notice and the petitioner already submitted explanation.

6. In view of the same, the Writ Petition is disposed of directing the competent authority to consider the explanation of the petitioner and take action in accordance with law. Till orders are passed, *status quo* obtaining as on today with regard to possession of the subject property shall be maintained.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

December 18, 2017

Note: Issue C.C. in three days.
B/O.MD

A. RAJASHEKER REDDY, J

