

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.43477 OF 2017

O R D E R

Aggrieved by the impugned notice dated 8.11.2017 in directing the petitioner to remove the encroachments in the subject land within four days, without any prior notice, the present writ petition is filed.

The learned Standing Counsel for 3<sup>rd</sup> respondent – Gram Panchayat, on instructions, submit that impugned notice may be treated as show cause notice and the petitioner may be directed to file explanation and the respondent No.3 may be given liberty to consider such application and take appropriate action in accordance with law.

Having regard to the facts and circumstances of the case and the submission of the learned Standing Counsel for the 3<sup>rd</sup> respondent, the writ petition is disposed of directing that the impugned notice shall be treated as show cause notice and it is open for the petitioner to file explanation within a period of four weeks from the date of receipt of a copy of this order, and on such explanation being filed, the 3<sup>rd</sup> respondent is directed to take appropriate action in accordance with law. Till then, the structures of the petitioner on the subject land shall not be demolished.

It is made clear that in case of default on the part of the petitioner in submitting the explanation within the time allowed in this order, the interim arrangement now made, stands automatically vacated and the respondent No.3 is at liberty to take appropriate action in accordance with law.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

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A.RAJASHEKER REDDY,J

DATE:21—12—2017  
AVS