

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.40988 OF 2017

ORDER:

It is the case of the petitioners that impugned notices dated 13.10.2017 have been issued to them straight away asking them to vacate the subject premises, without preceding any show-cause notices.

Heard learned counsel for the petitioners and Sri Ravi Cheemalapati, learned Standing Counsel for respondents 3 and 4.

Learned counsel for the petitioners submits that in G.O.Ms.No.188 Panchayat Raj and Rural Development (Pts.IV) Department, dated 21.07.2011, it is mentioned that prior show-cause has to be issued before evicting illegal occupants, but without following the said procedure as envisaged in the aforesaid GO as well as in the Order of the Hon'ble Supreme Court in Civil Appeal No.1132 of 2011 dated 28.01.2011, impugned notices have been issued, straight away asking the petitioners to vacate the premises.

Sri Ravi Cheemalapati, learned Standing Counsel submits that the impugned notices can be treated as show-cause notices, but the learned counsel for the petitioners submits that the petitioners have already submitted explanations to the notices on 02.11.2017 to the District Collector.

In view of the same, since the petitioners have already submitted explanation to the notices, the 4th respondent is

directed to consider the same and pass appropriate orders, after affording an opportunity of hearing to the petitioners. Till passing of such orders, status quo obtaining as on today shall be maintained. If petitioners do not cooperate, it is open for the 4th respondent to pass appropriate orders in accordance with law.

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

05-12-2017
kvs



A.RAJASHEKER REDDY,J

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