

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition Nos. 1164 and 1218 of 2018

Common Order:

These two Writ Petitions are being disposed of by this common order as they arise out of the proceedings issued by the fourth respondent under the provisions of the A.P. Land Encroachment Act, 1905 (for short 'the Act').

These two Writ Petitions are filed seeking to declare the action of the fourth respondent in issuing Notices in R.No.1646/2017/A, dated 30.11.2017, in respect of lands to an extent of Ac.0-89 cents in Survey No.10-3 and Ac.0-26 cents in Survey No.10-2 respectively of Nallaregulapalem village, Sabbavaram Mandal, Visakhapatnam District, without considering the representations of the petitioners dated 08.12.2017 and trying to dispossess the petitioners from the aforesaid lands, as arbitrary and illegal.

The petitioners claim that they have been in continuous possession of the lands, in respect of which the proceedings were taken and they have also submitted objections pursuant to the notices issued by the fourth respondent.

The petitioners apprehend that they would be forcibly evicted from the lands without communicating a copy of the order to be passed by the fourth respondent pursuant to the objections filed by the petitioners.

In the circumstances, these Writ Petitions are disposed of directing the fourth respondent to consider the objections filed by the petitioners pursuant to the notices issued to them under the provisions of the Act and pass appropriate orders in accordance with law, after hearing the petitioners. Till such time, the petitioners shall not be evicted from the

lands. If an order was already passed, the same shall be communicated to the petitioners within a period of fifteen days. No action shall be taken against the petitioners for a period of thirty (30) days from the date of communication of copy of the order. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 24.01.2018
Nsr

