

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2666 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

2. The case of the petitioner is that he is in possession of the land to an extent of Ac.0-01 cents situated in Survey No.41/1 since the time of his forefathers. While so, the fourth respondent issued a notice under Section 7 of the A.P. Land Encroachment Act, 1905 on 18.01.2018 and the petitioner submitted explanation within the time i.e. on 25.01.2018. The present Writ Petition is filed apprehending forcible eviction without passing any final order or passing a final order simultaneously implementing the order by force.

3. Since the proceedings are pending before the fourth respondent, this Court is not inclined to entertain the present Writ Petition, but directs the fourth respondent not to evict the petitioner without following due process of law by passing a reasoned order. If the fourth respondent passes an order of eviction, the same shall not be implemented for a period of thirty (30) days in order to enable to the petitioner to avail the remedy of appeal.

4. With the above direction, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

JANUARY 31, 2018

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Date: 31.01.2018

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