

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6078 of 2018

ORDER:

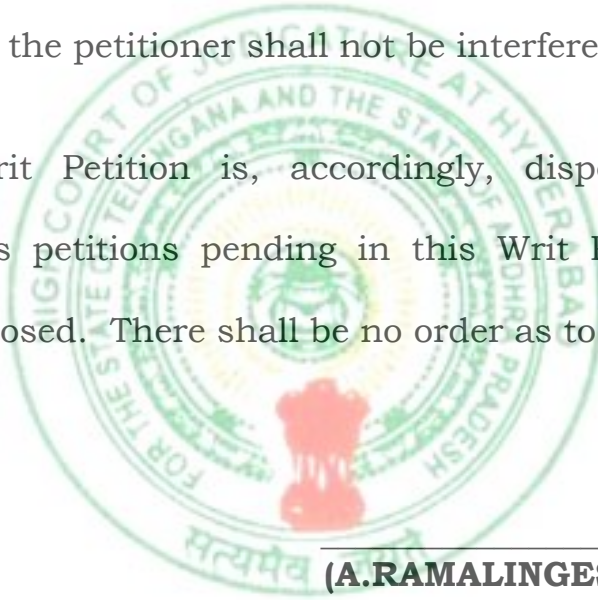
The petitioner states that he is a resident of Lakshmi Ganapathi Temple area situated in Survey No.178 of Tottaramudi Village, Ainavilli Mandal, East Godavari District, and he constructed a house in the said land. His house is situated adjacent to R&B road leading to S.Moolapalem Village in Tottaramudi Village. He states that he has been residing in the said house for the last 30 years. While so, a notice was issued on 22.09.2017 asking the petitioner along with others to vacate the land occupied by them as it belongs to R&B Department. In the said notice it was stated that the Mandal Legal Services Committee, Amalapuram, also permitted the Tahsildar to issue notices to the encroachers and take action. Accordingly, the petitioner was asked to submit his explanation within seven days. The petitioner submitted his explanation on 28.09.2017 and without passing any order, when there is a threat of dispossession, the present Writ Petition is filed.

Learned Government Pleader, on the basis of written instructions issued by the fourth respondent, submits that the petitioner submitted the explanation pursuant to the notice issued to him and the Mandal Legal Services Authority, Amalapuram, in PLC No.830 of 2016 filed by Smt.Kudupudi Mangayamma orally directed the Tahsildar, Ainavilli, on

16.09.2017 to issue notice to the encroacher for removal of the tiled house.

In view of the above, this Court is not inclined to interfere with the proceedings at this stage, but directs the fourth respondent to communicate a copy of the final order to the petitioner, if an order is already passed. If no final order is passed, the fourth respondent is directed to pass appropriate orders by considering the explanation of the petitioner dated 28.09.2017, and till the final order is passed, the land in possession of the petitioner shall not be interfered.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.



(A.RAMALINGESWARA RAO, J)

23.02.2018

Note: Issue C.C by 26.02.2018.

B/o.

vs