

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.7047 of 2018

ORDER:

Today, when the matter is taken up, a preliminary objection as to the maintainability of the writ petition is raised by the learned Standing Counsel appearing for Railways by contending that as against the impugned order, petitioner has got statutory remedy under Section 9 of Public Premises (Eviction of Unauthorised Occupation) Act, 1971 by way of filing appeal before the District Court and without availing the said remedy, the present writ petition is filed.

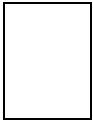
2. On the other hand, it is submitted by the learned counsel for the petitioner that without following due process of law as directed in W.P.No.22632 of 2017 dated 11.7.2017, the Respondent authorities have issued the impugned order.

3. Having heard the learned counsel for the petitioner and the learned Standing Counsel for Respondent Railways, Sri P.Bhaskar, this Court deems it appropriate to dispose of the writ petition, keeping it open to the petitioner to avail statutory remedy as provided under Section 9 of Public Premises (Eviction of Unauthorised Occupation) Act, 1971 within a period of one week from today. Till then, there shall be status quo with regard to subject property.

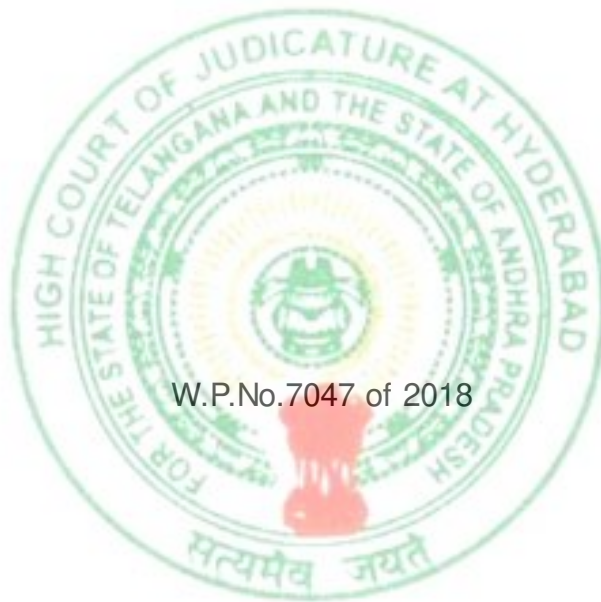
4. The writ petition is accordingly disposed of. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 5.3.2018
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