

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.18554 of 2018

ORDER:

The petitioner challenges the notice dated 18.05.2018 under Section 7 of the A.P.Land Encroachment Act, 1905 (for short 'the Act') issued by 4th respondent, as illegal, arbitrary and unconstitutional.

The subject matter of the notice is agricultural land measuring Ac.7-13 cents, Ac.0-97 cents and Ac.4-90 cents in Sy.No.194/1, 194/2 and 194/3 respectively of Vinukonda Town, Guntur District.

The Assistant Government Pleader places on record, the order/notice under Section 6 of the Act dated 18.05.2018 and also the mediators report dated 30.05.2018 and contends that the petitioner has to work out remedies against the order under Section 6 of the Act. He has produced the file of notice impugned in the writ petition.

I have perused the writ prayers and the record produced by the Assistant Government Pleader for Revenue. *Prima facie*, I am of the view that the

petitioner now has to work out the remedy available against notice, under Section 6 of the Act by filing appeal before the District Collector under Section 10 of the Act. On the physical features and possession, there is serious contest between the parties. After perusing the photographs produced by Mr.Mehar Kumar, this Court is constrained to observe that the steps the respondents take or have taken pursuant to notice dated 18.05.2018 are subject to further orders in the appeal or further orders passed by the Court.

Writ petition is disposed of as indicated above. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 07.06.2018
dv

S. V. BHATT, J

