

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE P. KESHA RAO**

WRIT PETITION No.29896 of 2018

Order : *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

This Writ Petition is filed challenging the order dated 21.6.2016 issued by the Upa Lokayukta for the State of Andhra Pradesh and Telangana. That order concludes directing the District Collector, Warangal to take steps to evict illegal constructions in the land, which the Upa Lokayukta describes as a Government land. It appears that a report was called for from the Director of School Education.

2. The fact of the matter remains that the writ petitioners were not heard in proceedings before the Upa Lokayukta, though they were impleaded as parties in those proceedings. After obtaining the report, a final order was issued essentially holding that the lands dealt with therein are Government lands and that the occupants are trespassers.

3. We are clear in our mind that such a finding ought not to have been given without hearing a person, who was in possession. The said finding cannot bind the writ petitioners in any proceedings before the revenue officials in terms of the directions of the Upa Lokayukta.

4. In the result, this Writ Petition is ordered directing that any further proceedings in furtherance to the impugned decision of the Upa Lokayukta or any further action against the petitioners in relation to the land in question, shall not be taken and concluded, except in accordance with law, and without giving the pre-decisional

notice and opportunity of hearing to the writ petitioners. Status-quo as on today will be maintained. If proceedings have not been concluded by now, the revenue authorities will conclude the same within a period of six months from the date of receipt of a copy of the order. The learned Government Pleader for Revenue should make available a copy of this order to the revenue officials.

5. The Writ Petition is ordered accordingly.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 23rd August, 2018

P. KESHA RAO, J

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