

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

W.P.No.37470 of 2018

ORDER:

A notice bearing Ref.No.97/2018/SLM dated 2.10.2018 issued by the Forest Range Officer-Srisailam Range, Kurnool District-2<sup>nd</sup> respondent herein, asking the petitioners herein to vacate the subject property is under challenge in the present writ petition.

2. A perusal of the impugned notice clearly discloses that without being preceded by any show cause notice and affording opportunity to the petitioners herein, the writ petitioners are sought to be evicted. In the considered opinion of this Court, the said action on the part of the Respondents is patent violation of principles of natural justice and on this ground alone, the writ petition is liable to be allowed. It is submitted by the learned counsel for the petitioners that the petitioners are in possession of the subject property for the last one decade.

3. Accordingly, the writ petition is allowed, directing the impugned notice bearing Ref.No.97/2018/SLM dated 2.10.2018 issued by the Forest Range Officer-Srisailam Range, Kurnool District-2<sup>nd</sup> respondent herein be treated as show cause notice and with a liberty to the petitioners to submit explanation to the said show cause notice within a period of two weeks from the date of receipt of this order and if any such explanation is filed by the petitioners herein within the time stipulated above, the same shall be considered and disposed of by passing appropriate orders strictly in accordance with law. Till the said exercise attains finality, Status quo as on today shall be maintained with regard to subject structures. 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: 11.10.2018

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11.10.2018

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