

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 37669 of 2018

ORDER:

The present writ petition came to be filed seeking the following relief:

“to declare the action of the 4th respondent vide issuing notice ROC No. 747/ 2018/ B, dated 11.07.2018 and threatened the petitioner that they will demolish the RCC building under construction (G+1) is near to D.No. 2-244 situated at Poolapalli Village, Palakol Mandal, West Godavari district, without any enquiry about the title of the petitioner, as illegal, arbitrary and unconstitutional.”

2. The grievance of the petitioner appears to be that pursuant to the notice dated 11.07.2018 issued by the Tahsildar, though he submitted an explanation on 15.07.2018, but without passing any orders on the said explanation, the authorities are threatening to dispossess him from the subject land and are also trying to demolish the structure raised therein.

3. Learned Government Pleader would submit that if no orders are passed on the explanation of the petitioner till date, the authorities may be directed to pass appropriate orders thereon, in accordance with law.

4. Having regard to the above, the writ petition is disposed of with consent, at the admission stage, directing the Tahsildar to

pass appropriate orders on the representation of the petitioner dated 15.07.2018, in accordance with law, after hearing the petitioner, as early as possible. Till such orders are passed, the authorities shall not take any action to dispossess the petitioner or demolish the structure raised on the subject land, if the petitioner is in possession of the subject land. If an order is already passed by the Tahsildar, he shall forthwith communicate a copy of the same to the petitioner, so as to enable him to avail the available remedy under law. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

12.10.2018
DMG



JUSTICE C. PRAVEEN KUMAR