

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38443 of 2018

ORDER:

The petitioner was issued notice dated 05-10-2018 alleging that he has encroached the NSP canal (government land) to an extent of Ac.0.01 cents in Sy.No.150/1A2 situated at Pernamitta Village, Santhanuthalapdu Mandal, Prakasam District and asked him to remove the said encroachment. On that the petitioner has given explanation dated 09-10-2018 to the 3rd respondent stating that he purchased the same from one Palaparthi Mohan Rao through registered sale deed No.2244/2018, dated 21-08-2018 and his vendor purchased the same from one Palaparthi Prameela through registered sale deed bearing No.958/2011, dated 05-03-2011 and said Prameela purchased from Muppallu Venkaiah under registered sale deed bearing No.16/2003, dated 09-01-2003. Without considering the explanation of the petitioner and without passing any orders, the respondents are trying to evict the petitioner from the subject property. Aggrieved by the same, the present writ petition is filed.

Heard both sides.

In view of the same, there shall be direction to the respondents to consider the explanation of the petitioner and also documents filed by the petitioner and pass appropriate orders after giving opportunity of hearing to the petitioner. It is also open to the petitioner to file documents sought by

respondents. Till passing of orders, the respondents shall not dispossess the petitioner from the subject property and shall not demolish the structures therein.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

25-10-2018
Nvl





