

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42296 of 2018

ORDER:

The case of the petitioner is that he is the absolute owner and possessor of the land to an extent of Ac.4.03 guntas in Survey No.57/1, situated at Gangapur Village, Rebbana Mandal, having purchased the same through registered document vide No.1172/2014, dated 19.04.2014, and is in continuous possession of the said land for the last four years and his name is also incorporated in the revenue records as pattadar and also got issued the pattadr pass books. While so, on 20.11.2018 the respondents 3 to 6 along with their staff visited the land of the petitioner and directed the petitioner not to enter into the lands, because the lands are required for the purpose of plating trees in the scheme of Harithaharam and also threatened the petitioner that they would implicate him in false cases if he entered into the said land. Aggrieved by the said action of the respondents in interfering into the possession of the private patta land and directing the petitioner not to enter into the subject land without issuing any notice and without following due process of law, present writ petition is filed.

Heard learned counsel for the petitioner who submits that the petitioner purchased the subject land through registered sale deed and his predecessors in title names were

also recorded in Pahanis and other revenue records, as such the petitioner cannot be dispossessed.

On the other hand learned Government Pleader for Forests produced copy of panchanama stating that petitioner illegally occupied the forest land in compartment No.414 and that the petitioner was already issued notice dated 03.12.2018 which was received by him on 06.12.2018.

In view of the aforesaid facts and circumstances, the writ petition is disposed of permitting the petitioner to file explanation to the notice dated 03.12.2018, within a period of two weeks from today and on such explanation being filed, the competent authority is directed to consider the same and pass orders. Till such time, *Status quo* obtaining as on today shall be maintained regarding possession. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

28.12.2018

Note: Issue CC in three days.

B/o. tk