

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.43044 OF 2017

ORDER:

When the matter is taken up, it is submitted by Sri Gangaiah Naidu, learned Senior Counsel appearing for the learned counsel for the petitioner on record, that as against the same impugned order, the owner of the premises approached this Court by way of filing W.P.No.42872 of 2017. By way of an order, dated 18.12.2017, this Court allowed the said writ petition. The operative portion of the said order reads as under:

“Learned Government Pleader for Revenue, on specific instructions received from the 2nd respondent, submits that while passing the order under challenge, the 2nd respondent, by oversight, failed to consider the factum of leasing the subject premises. In those circumstances, the learned Government Pleader fairly submits that liberty may be given to the 2nd respondent to pass fresh orders after providing an opportunity to the petitioner.

In the light of the above, the impugned order dated 04.12.2017 is set aside, however, with liberty to the respondents to pass necessary orders, in accordance with law. As it is submitted that the 3rd respondent Inspector of Police (L&O), Raidurgam Police Station had already seized the subject premises, pursuant to the order dated 04.12.2017, he shall, forthwith, hand over its possession to the petitioner.

The Writ Petition is, accordingly, allowed. No costs.”

2. Following the said order and for the reasons stated therein, this writ petition is also allowed in terms thereof. There shall be no order as to costs.

3. Office to enclose a copy of the order, dated 18.12.2017, in W.P.No.42872 of 2017 to this order.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 24.01.2018
AMD



THE HONOURABLE SRI JUSTICE A.V.SESHA SAI



WRIT PETITION No.43044 OF 2017

Date: 24.01.2018

AMD