

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.7500 OF 2019

ORDER:

This Writ Petition is being disposed of at the stage of admission with the consent of both the parties.

This Writ Petition is filed seeking to declare the action of the first respondent in issuing notice dated 01.04.2019 to immediately vacate the quarter bearing H.No.28-3-15 situated at Forest Complex, Chemical Area, Bellampally, Adilabad District, on the ground that the building is in a dilapidated condition and is unfit for staying and even though it is fit for staying, it is risky for life and sought a consequential direction to the respondents not to interfere with the peaceful possession of the petitioner or provide him with alternative accommodation in the Forest Complex Chemical Area, Bellampally, in the interest of justice.

Heard Sri B. Sudhakar Reddy, learned counsel for the petitioner and the learned Government Pleader for Forest.

It has been contended by the petitioner that he is working as a lorry cleaner on daily wage basis and has been allotted the quarter in the address mentioned above and he has been residing in the said quarter. The petitioner submits that the first respondent had issued a notice on 01.04.2019 to the effect that he should immediately vacate the quarter as the quarter is in a dilapidated condition, which is unfit for staying. Challenging the same, the present petition is filed.

Learned counsel for the petitioner contends that the building where the quarter is located is very stable and it has

not become dilapidated. Only for the purpose of getting the petitioner vacated from the said quarter, the first respondent is stating that the building has become dilapidated and it is not fit for staying. Learned counsel for the petitioner further contends that at least an alternative accommodation may be allotted to the petitioner since he is working as a lorry cleaner on daily wage basis.

Learned Government Pleader appearing for the respondents contends that the petitioner was never allotted a quarter and he has illegally occupied the quarter in the address mentioned above and in spite of repeated requests to vacate the quarter, he has not vacated the same. It is further contended that the building is in a dilapidated condition and not fit for staying and as such notice dated 01.04.2019 was issued to the petitioner to immediately vacate the said quarter. He further contended that if the petitioner is aggrieved, he is at liberty to submit a representation to the authorities concerned for alternate accommodation, which shall be considered and appropriate orders would be passed.

Having regard to the rival submissions made on either side, this Court is of the considered view that this Writ Petition can be disposed of directing the petitioner to submit a representation afresh within one week from the date of receipt of a copy of this order and upon receipt of such representation, the authorities concerned shall consider the same on merits and pass appropriate orders in accordance with law within a period of four weeks thereafter.

With these observations, the Writ Petition is disposed of.
There shall be no order as to costs. Miscellaneous petitions, if
any, pending shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

9th April 2019
RRB

