

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 19501 of 2019

ORDER:

In this writ petition, petitioner challenges the notice, dated 30.08.2019, issued by respondent No.4-Tahsildar, Charla Mandal, Bhadradri Kothagudem District, under Section 7 of the Land Encroachment Act (for short 'the Act'), to vacate house bearing No.8-252/10 in Survey No.117/P of Sainagar Colony, Near Sai Baba Temple, Charla Village and Mandal, Bhadradri Kothagudem District.

The petitioner asserts that she is the owner and is in occupation of the subject house, whereas the above said notice was issued to her husband. She further asserts that the electricity bills and the panchayat tax receipts are issued on her name. In the circumstances, respondent No.4 shall not take action against her.

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

A perusal of the panchayat tax receipt discloses that initially, the name of the husband of the petitioner was written and thereafter, his name was struck off and her name was written. Be that as it may, as admittedly the petitioner is in occupation of the Government land, notice, dated 30.08.2019, shall be treated as the one issued to her and she shall submit her explanation to the same within two weeks from today. Thereupon, respondent No.4 shall consider such explanation and pass a reasoned order under Section 6 of the Act.

Till such time, the respondent authorities shall not dispossess the petitioner from the subject house.

With the above observations, the writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:12.09.2019
kdl

