

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20274 of 2019

ORDER:

In this writ petition, petitioner challenges notice, dated 03.09.2019, issued by respondent No.3-Tahsildar, Jammikunta Mandal, Karimnagar District, under Section 7 of the Land Encroachment Act (for short 'the Act'), to show cause as to why he shall not be evicted from the land to an extent of 0.02 guntas in Survey No.739 of Jammikunta Village and Mandal, Karimnagar District.

The petitioner asserts that he constructed a Function Hall in an extent of 7270.02 square yards of land after obtaining permission from the then Nagara Panchayat, Jammikunta. In the circumstances, respondent No.3 shall not take action against him.

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

Perused the material on record. It is not in dispute that the petitioner was issued the impugned notice, for which, he has not submitted his explanation. Therefore, the petitioner shall submit his explanation to the impugned notice setting out as to how and in what circumstances the Act has no application and how he became the owner of the subject property.

In those circumstances, the petitioner is permitted to submit his explanation to the impugned notice within a period of two weeks from today. Thereupon, respondent No.3 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 premises.

Subject to the above, 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:19.09.2019
kdl

