

THE HON'BLE SRI JUSTICE A. RAJASHEKAR REDDY

W.P.NO.26687 OF 2019

O R D E R

The case of the petitioner is that he is the owner and possessor of the land in an extent of Acs.6.94 cents situated at Bettala tanda, Chalakurthi village of Peddavuru mandal of Nalgonda District, by virtue of the ROFT Patta Pass book No.23520170-BTT-10 issued by the Divisional Forest Officer and District Collector of Nalgonda District, and he has made constructions in the subject land. The grievance of the petitioner is that the respondents, without following due process of law, are interfering with his possession, and trying to demolish the structures in the subject land.

Learned Government Pleader for Forests, on instructions, submits that as the petitioner is in occupation of excess land by way of encroachment, the respondents have issued notice and are taking action in accordance with law.

Learned counsel for the petitioner disputing the above submission of the learned Government Pleader for Forests, submitted that the petitioner has not received any notice till date and the respondent without following the procedure, are trying to demolish the structures in the subject land.

Having regard to the facts and circumstances of the case, writ petition is disposed of directing the respondents not to interfere with the possession of the petitioner, or demolish the structures in the subject land, without following the due process of law.

If the respondents have already issued notice, and if the petitioner received the same, it is open for the petitioner to file explanation to the

said notice and after considering the said explanation, and affording opportunity of hearing, it is open for the respondents / competent authority, to take appropriate action in accordance with law.

Till then, no coercive steps shall be taken against the subject property of the petitioner.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:02—12—2019

Note:

Issue C.C. by tomorrow.

B/O
(AVS)

