

**HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

**WRIT PETITION No.12555 of 2019**

**ORDER:**

Questioning the notice dated 20.07.2019 issued by respondent No.1 - Tahsildar, Dornipadu Village, under Section 7 of the Land Encroachment Act (for short 'the Act'), the present Writ Petition is filed.

Petitioner claims to be the owner of land admeasuring Ac.0.12 cents in Sy.Nos.131/1A and 131/A1, Dornipadu Village and Mandal, Kurnool District having acquired from his ancestors for the past more than 100 years; his father executed registered gift deed dated 10.03.2008 in his favour; after obtaining permission from Dornipadu Gram Panchayat, he constructed rooms and paying tax; respondent No.1 issued impugned notice dated 20.07.2019, under Section 7 of the Act, alleging encroachment of government land of an extent of Ac.0.12 cents in Sy.No.131/A/1A; pursuant to which, he submitted explanation dated 29.07.2019 stating that, because of longstanding possession, the provisions of the Act could not be invoked. Hence the writ petition.

Learned Additional Advocate General appearing on behalf of respondents would submit that the impugned notice is only a notice, and the Writ Petition is not maintainable.

Without going into the merits of the case, and since the petitioner had already submitted his explanation on 29.07.2019, respondent No.1 is directed to consider the explanation of the petitioner with reference to the documents and judgments that

would be produced by him, and pass a reasoned order thereon, in accordance with law, if the explanation is still pending

The Writ Petition is, accordingly, disposed of. No order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**KONGARA VIJAYA LAKSHMI, J**

Date:30.08.2019  
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