

THE HON'BLE SRI JUSTICE BATTU DEVANAND

Writ Petition No.10392 of 2020

ORDER:

Heard Sri Kambhampati Ramesh Babu, learned counsel for the petitioner, learned Government Pleader for Revenue for respondent Nos.1 to 3 and Sri I.Koti Reddy, learned Standing Counsel for respondent Nos.4 and 5.

2. This writ petition is filed under Article 226 of the Constitution of India seeking *Writ of Mandamus* declaring the notice issued by the 5th respondent, dated 12.06.2020 and the consequential action of the respondents in resorting to evict the petitioner from his land admeasuring 778.27 Sq.yards situated in Sy.No.107 of Jajulakunta village, Dwaraka Tirumala Mandal, West Godavari District, as illegal, arbitrary against the principles of natural justice and contrary to the A.P.Gram Panchayats (Protection of Property) Rules, 2011 apart from being violative of Articles 14 and 300-A of the Constitution of India and consequently set aside the same.

3. With the consent of the counsel appearing on either side, this writ petition is disposed of, at the stage of admission.

4. It is submitted by the learned counsel for the petitioner that the impugned notice, dated 12.06.2020 in this writ petition issued by the 5th respondent is an order directing to vacate the subject land within a period of seven (7) days though it is styled as notice and sought for inference by this Court to protect the interests of the petitioner.

5. On the other hand, Sri I.Koti Reddy, the learned Standing Counsel appearing for the respondent Nos.4 and 5 fairly submits that though the direction is given in the 2nd paragraph of the notice dated 12.06.2020 appears to be the order to vacate within seven (7) days, this Court may treat this as a show-cause notice and the 4th respondent may take appropriate action in accordance with law, within a stipulated time.

6. Having heard the submissions of the learned counsel for the petitioner, this Court is of the opinion that the ends of justice would be met by directing the 4th respondent to consider, examine and pass appropriate orders in accordance with law, within a period of two (2) weeks. Considering the explanation submitted by the petitioner the 4th respondent is also directed if the petitioner requested for personal hearing, the opportunity for personal hearing shall be provided, in the interest of justice.

7. With these directions, this Writ Petition is disposed of. Till such time, there shall be *status-quo* in all respects with regard to the subject land. No costs.

As a sequel, miscellaneous petitions, if any, pending in this case shall stand closed.

BATTU DEVANAND, J

Date: 24.06.2020
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