

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**MONDAY, THE TWENTY SEVENTH DAY OF APRIL TWO THOUSAND AND
FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.21872 of 2008

Between:

Manne Ramachandra Rao,
S/o. Nagabhaskara Rao,
Cholavaram Village,
Panamaluru Mandal,
Krishna District & 5 others

.. Petitioners

AND

Revenue Divisional Officer,
Nuzvid, Krishna District & another

.. Respondents

The Court made the following:

The writ petition is filed challenging the notice in C.C.No.1140/NZD/75 and 1141/NZD/75, dated nil.01.2008, by the Revenue Divisional Officer, Nuzvid, Krishna District (1st respondent) calling upon the petitioners to show cause why

legal action should not be initiated against the petitioners under Section 24 of the A.P. Land Reforms (COAH) Act, 1973 (for short, 'the Act 1973').

2. The notice is challenged on the ground that the said proceedings were initiated after long lapse of time and there was inordinate delay in initiation of the proceedings and liable to be set aside on that ground. It is also contended that notice proceeded on the assumption that exemption from land ceiling was granted but the same was violated where as no such exemption was granted and the very fact of issuance of notice under the wrong assumption that an exemption was granted vitiate initiation of proceedings.

3. At the time of admission, this Court permitted to continue the proceedings before the Tribunal, but directed not to disturb the possession of the land in question until further orders.

4. Learned counsel for the petitioners further submits that so far, no orders are passed due to pendency of the writ petition.

5. Since the writ petition is instituted against the notice issued by the Revision Divisional Officer, Nuzvid (1st respondent) in accordance with the provisions contained in the Act 1973, I am not inclined to go into the merits of the contentions urged at this stage. It is open to the petitioners to urge all the contentions, which are agitated in the writ petition before the competent authority. Learned counsel for the petitioners also represents that the petitioners shall be given liberty to submit fresh explanation in support of their claim.

6. Having regard to the same, the Writ Petition is disposed of directing the Revenue Divisional Officer, Nuzvid (1st respondent), to afford due opportunity to the petitioners. The petitioners shall also be afforded personal hearing and after hearing the petitioners and also considering the explanations already

submitted and any further explanation submitted in pursuant to the orders of this Court in this case, the Revenue Divisional Officer shall pass orders, as warranted by law. Since the matter is pending for long time, the Revenue Divisional Officer shall conclude the proceedings, as expeditiously as possible, preferably within a period of two (2) months. The petitioners shall submit additional explanation within a period of two (2) weeks from the date of receipt of a copy of this order. Till the orders are passed by the Revenue Divisional Officer, the possession shall not be disturbed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 27th April, 2015

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