

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.37249 of 2015

ORDER:

Heard.

The petitioners question the notices, dated 16-10-2015 issued under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 alleging that they were found occupying the assigned lands admeasuring Ac.1-42 cents in Sy.No.16/4 and Ac.1-62 cents in Sy.No.16/5 situated at Pentaseema Bonangi Village, Parawada Mandal, Visakhapatnam District, under a sale in violation of the conditions of assignment.

In the affidavit filed in support of the writ petition, the petitioners denied the said allegation and stated that they tried to submit their explanation to the 3rd respondent but he did not receive their explanation. The petitioners also state that the lands as mentioned in the writ affidavit were purchased by one Podugu Pyditalli and his wife Podugu Appayamma through a registered sale deed, dated 13-09-1967 and from them, the petitioners purchased the said lands. The petitioners also state that they were issued pattadar passbooks and title deeds in the year 1998.

I, however, do not find any averment denying the jurisdiction of the 3rd respondent in issuing the impugned notices. Hence, no reasons exist to entertain the writ petition. Even, if the petitioners have a valid title, they have to submit their explanation in response to the said notices and thereafter it is for the 3rd respondent to consider the said explanation and pass a reasoned order in accordance with law.

At this stage, learned counsel for the petitioners submits that since the time for submitting explanation has already expired, the petitioners may be given some more time for submitting explanation.

Accordingly, the petitioners are granted time till 27-11-2015 to submit their explanation and thereafter, the 3rd respondent shall consider the same and pass a

reasoned order. Till passing of such order, the petitioners shall not be dispossessed from the lands in question.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 17-11-2015

Note:

Issue C.C. by tomorrow

(B/o)

Prv

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17-11-2015

Prv