

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.24801 OF 2015

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Between:

G.Eeswaramma and others.

.. Petitioners

And

The State of A.P. and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24801 of 2015

ORDER:

Heard.

The petitioners claim that they were given pattas twenty years back and they have been cultivating their respective lands. Anticipating dispossession by the 3rd respondent and that the entries in the revenue records would be changed, they have given a detailed representation in the shape of legal notice on 11-05-2015. The petitioners also accept that they have been given notices under Rule 3 of the A.P.Assigned Lands (Prohibition of Transfers) Rules, 1977. It is stated that since the petitioners have already given a representation in the shape of legal notice prior to issuance of notice, referred to above, they have not given further explanation and the legal notice is produced as Ex.P-5 along with the writ petition.

Learned Government Pleader has received instructions from the 3rd respondent, which state that various extents of lands were assigned to 17 persons in the years 2005 and 2012 and they have alienated the said lands under different registered sale deeds by contravening Section 3 of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977. Since prima facie, violation of the said Act and the Rules was noticed, notices under Form-1 and II were given to the original assignees on 01-07-2015 calling upon them to submit explanation. It is stated that all persons, except Sl.7 and 17, have submitted their explanations, which are under verification and appropriate further action will be taken after examining the same.

At this stage, learned counsel for the petitioners states that since the

petitioners have given a representation in the shape of legal notice, even prior to issuance of notice, dated 01-07-2015, they may be given an opportunity to submit their explanation, so that the 3rd respondent would consider the same and pass appropriate orders.

In view of the said request, the writ petition is disposed of permitting the petitioners to file their explanation to the impugned notice within two weeks from today and thereafter, the 3rd respondent shall consider the same and pass appropriate orders. It is needless to state that without passing appropriate orders as directed above, the 3rd respondent shall not take any coercive steps including dispossession of any of the petitioners. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 12-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24801 of 2015

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12-08-2015

Prv

