**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION No.34331 OF 2015**

**O R D E R :**

The petitioners state that they were given notice on 23.09.2015 under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 alleging that they have purchased the assigned land and that they have replied on 05.10.2015.

The petitioners stated that the allegation made against them in the notice is factually and legally unsustainable and they have got pattadar passbooks and title deeds. However, they alleged that though the said proceedings are pending, no orders are passed by the 3rd respondent, so far. It is alleged that the 3rd and 4th respondents have been visiting the land and the 3rd respondent has erected a board on 10.10.2015 at 5.00 PM notifying the said land as government land and the same is proposed to be assigned to the 4th respondent, though proceedings initiated under the aforesaid notice are pending.

Since the show cause notice was replied by the petitioners as above, the 3rd respondent is duty bound to consider the same and take an appropriate final decision in the matter. Obviously, till he completes the aforesaid exercise and pass appropriate orders, the petitioner can neither be dispossessed nor any action to affect their enjoyment can be taken. The 3rd and 4th respondents cannot therefore, claim any rights, especially when the petitioners continued to be in possession and therefore, the allegation that the land is allotted to the 4th respondent cannot be accepted.

The writ petition is accordingly disposed of directing the 3rd respondent to consider the explanation submitted by the petitioners

in accordance with law and pass appropriate reasoned order and not to interfere with the petitioners' possession till then. There shall be no order as to costs.

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

_____

**VILAS V.AFZULPURKAR, J**

14.10.2015
kvrm

**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

–

–

**WRIT PETITION No.34331 OF 2015**

**DATE: 14.10.2015**

kvrm