

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.39133 OF 2015

ORDER:

Two petitioners have filed the present writ petition aggrieved by the identical separate notice given to them under Rule 3 of the A.P. Assigned Lands (Prohibition of Transfers) Rules. Since this Court has already held that when eviction notices are separate, each petitioner must file separate writ petition and cannot file common writ petition. In view of that, mere payment of separate Court fee, cannot be a basis for entertaining a common writ petition. In spite of specific directions issued by this Court in earlier orders, registry appears to be accepting such writ petitions and listing them for admission. Registrar (Judicial) shall, therefore, instruct the Scrutiny Section accordingly and report compliance to this Court.

In view of the aforesaid defect, the writ petition is confined only to the 1st petitioner and is dismissed to the extent of the 2nd petitioner with liberty to file separate writ petition, if he so desires.

To the notice dated 03.10.2015 given to the 1st petitioner alleging that he is a transferee of the assigned land, reply, dated 23.11.2015, is stated to have been issued by the 1st petitioner and his brother marking a copy to the 4th respondent-Tahsildar. Apprehending dispossession, this writ petition is filed.

Since the 1st petitioner has already replied to the show cause notice and has no further order is stated to have been passed by the respondents, there shall be direction to the 4th respondent to consider the reply of the 1st petitioner, if any, received in response to the notice dated 03.10.2015, after giving notice of date of hearing and pass appropriate reasoned order within a period of four weeks. Thereafter, to enable the 1st petitioner to take appropriate remedial steps, he shall not be dispossessed for two weeks, if an adverse order is passed. Pending passing of such order as directed above, the 4th respondent or his subordinates shall not interfere or dispossess the 1st petitioner from the land covered by the impugned notice.

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

VILAS V.AFZULPURKAR, J

02.12.2015

Note: Mark copy to the Registrar (Judicial)

b/o

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