

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.39230 of 2015

ORDER:

Heard.

The petitioner has filed the present writ petition against the show-cause notice issued by the Revenue Divisional Officer, Ongole-3rd respondent on 29-09-2015 calling upon her to submit explanation as to why assignment should not be cancelled. The petitioner has already submitted her explanation on 22-11-2015. However, the present writ petition is filed contending that the 3rd respondent has no jurisdiction and Section 4(A) of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') applies where the 3rd respondent exercises the appellate powers against the order of the Mandal Revenue Officer.

I am not at all impressed by the said submission and I see no reason to entertain the writ petition against the show-cause notice, as a reading of Section 4(1) of the Act shows that the District Collector or any other officer not below the rank of the Mandal Revenue Officer authorized by him in his behalf, if satisfied that the provisions of Sub-Section (1) of Section 3 are contravened, is entitled to take action as envisaged under Section 4 of the Act.

Prima facie, therefore, I see no reason to accept the contention of the petitioner that the 3rd respondent has no jurisdiction to issue the impugned notice and thereby, the writ petition cannot be entertained on the said ground. Moreover, in the explanation submitted by the petitioner she has already mentioned the aforesaid aspect and the 3rd respondent can as well deal with the same while passing the final orders. Hence, no reasons exist to entertain the writ petition.

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

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 03-12-2015

Prv

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