

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION Nos.15041 and 15061 of 2015

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COMMON ORDER:

W.P.No.15041 of 2015 is filed by 12 petitioners against self-same notices, dated 11.05.2015, issued to them under Rule 3 of the A.P. Assigned Lands (Prohibition of Transfers) Rules, 2007. The same petitioners with the addition of petitioners 13 and 14 have filed another W.P.No.15061 of 2015. Thus, petitioners 1 to 12 in both the writ petitions are common and they cannot be permitted to prosecute the self-same issue by filing two separate writ petitions through two separate counsel.

2. W.P.No.15061 of 2015 is dismissed as withdrawn today as the learned counsel for the petitioners sought permission to withdraw the writ petition.

3. So far as the petitioners in W.P.No.15041 of 2015 are concerned, all of them claim to be purchasers from the assignees, who are freedom fighters, and it is stated that their purchase is after 10 years moratoria and, as such, there is no violation of Rule 3 of the A.P. Assigned Lands (Prohibition of Transfers) Rules, 2007. However, each petitioner has been given separate notices requiring them to submit objections. Alleging that they are likely to be dispossessed, the W.P.No.15041 of 2015 is filed.

4. Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

5. Evidently, each petitioner has also been given a notice under Form-II and no order as such is passed against them. On the contrary, they are given opportunity to submit objections within 15 days.

6. Since W.P.No.15041 of 2015 is directed only against the notices referred to above, the WW.P.No.15041 of 2015 is disposed of with the following direction:

(i). Petitioners are at liberty to submit their objections to the notices of the second respondent with all the relevant facts. On receipt of such representation, the second respondent shall consider the same and take appropriate decision in the matter.

(ii). Till the second respondent takes appropriate decision as directed above, petitioners shall not be dispossessed of their respective plots.

7. Accordingly, W.P.No.15041 of 2015 is disposed of and W.P.No.15061 of 2015 is dismissed as withdrawn. There shall be no order as to costs. Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

JUSTICE VILAS V.AFZULPURKAR

28th May, 2015

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