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

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos. 39620, 39639, 39649 and 39650 of 2015

BETWEEN:

Mohammed Abdul Qadeer and others

… PETITIONERS

AND

The State of Andhra Pradesh, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 07.12.2015

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COMMON ORDER:-

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

2. All these writ petitions are with similar relief apprehending dispossession pending consideration of petitioners' application for regularization in terms of G.O.Ms.No.59, Revenue (Assignment-I) Department, dated 30.12.2014. All the petitioners claim benefit under the aforesaid GO and seek regularization of their respective lands in their possession viz., different plots in Survey No.66/3 at Raidurg Nava Khalsa Village, Serilingamapally Mandal, Ranga Reddy District. Petitioners claim to be *bona fide* purchasers in possession and on coming to know that the lands

belong to the Government, they sought regularization under G.O.Ms.No.58. But, however, the Tahsildar, respondent No.1, under his endorsement treated the said applications as under G.O.Ms.No.59 and are pending consideration. Petitioners also claim that they have deposited tentative amounts along with their applications for regularization. Apprehending that even before consideration of the representations petitioners would be dispossessed, they have approached this Court by this writ petition.

3. Since petitioners' applications for regularization are pending, they are required to be considered by the competent authority on their own merits. However, in the meanwhile, if any action is proposed to be taken against the petitioners, the first respondent will have to follow due procedure under law and only thereafter pass appropriate orders.

4. High handed dispossession of the petitioners without notice being not permissible under law, these writ petitions are disposed of directing the first respondent to consider petitioners' applications for regularization on their own merits. However, in the meanwhile, if any action for recovery of possession is intended to be taken against the petitioners, each one of them will be given appropriate notice and opportunity to file explanations and thereafter the first respondent is entitled to pass appropriate orders.

As a sequel the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

December 7, 2015
LMV