

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.39984 OF 2015

ORDER:

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

The petitioners are aggrieved by notice, dated 23.11.2015, issued by the Deputy Collector and Tahsildar, Quthbullapur Mandal, Ranga Reddy District, the 3rd respondent, under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007. They state that the said notice is already replied to by the 2nd petitioner under his reply, dated 27.11.2015. It is stated that the subject land is a patta land and is not an assigned land and is developed for their dairy.

Learned counsel for the petitioners also submits that the notice itself directs the petitioners not to enter the subject land and not to proceed with the developmental works.

The grievance of the petitioners is that on account of the said directions, they are unable to enter and look after their cattle, which are available on the said land, they undertake that no developmental activity would be undertaken till the matter is decided by the 3rd respondent.

Keeping in view that a notice is issued to the petitioners to which they have given reply, it is appropriate that the 3rd respondent is directed to consider the said reply with reference to the records and take appropriate decision in the matter by passing a reasoned order. Pending consideration and passing of an appropriate order, as above, however, the petitioners cannot be restrained from entering the subject land. Hence, the possession and enjoyment of

the petitioners over the subject land shall not be interfered by the 3rd respondent or his sub-ordinates. However, the petitioners shall also maintain the land in the same state which exists as on today and shall not take up any developmental work until appropriate order is passed by the 3rd respondent. The petitioners are at liberty to raise all their contentions, if not already raised, before the 3rd respondent, while opposing the impugned notice.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

09.12.2015

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