

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTY

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W.P.No.24404 of 2004

ORDER

Petitioner challenged the show cause notice issued by the respondents dated 19.07.2004 proposing to cancel the patta and assumption of land under Andhra Pradesh (Prohibition of Transfer of Assigned Lands) Act 9 of 1977 (for short 'the Act') for violation of the terms and conditions of the assignment.

2. It is brought to the notice of this Court that subsequent to the notice dated 19.07.2004, an assumption order was passed before filing the writ petition.

3. Learned counsel for the second petitioner represented that as per the provisions of the Act, a statutory appeal is provided under Section 4-A of the Act.

4. When a statutory appeal is available under the Act, the writ petition is not maintainable. However, the petitioner being a subsequent purchaser is permitted to challenge the assumption order, if any passed and as contended by the learned counsel for the petitioner under Section 4-A of the Act.

5. Hence, the Writ Petition is disposed of, granting liberty to the second petitioner to file a statutory appeal before the authorities concerned. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M. SATYANARAYANA MURTY, J

14th July, 2016
sj