

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.1287 of 2016

ORDER:

This Writ Petition is directed against the notice, dated 29.12.2015 issued by the third respondent under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007.

Petitioner questioned the impugned notice stating that the revenue authorities themselves have granted pattadar pass books to her under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 and recognized her possession and therefore, the third respondent could not have issued it on the ground that the petitioner is a transferee of assigned land.

The action taken by the third respondent under the aforesaid Act is entirely different from that of the provisions under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 as such I do not see any ground to maintain the Writ Petition. The impugned notice in any case gives opportunity to the petitioner to submit explanation. Therefore, there is no reason why the petitioner should not submit detailed explanation to the impugned notice and thereafter, the third respondent is obliged to consider the same and pass appropriate orders.

Hence, I find no reason to entertain the Writ Petition.

Learned counsel for the petitioner states that the petitioner has filed preliminary explanation and she may be granted liberty to file detailed explanation.

The petitioner is accordingly granted two weeks' time from today to file detailed explanation to the impugned notice. The third respondent shall thereafter consider the explanation of the petitioner

and pass appropriate orders in the matter and communicate the same to her. Till passing of such orders, the petitioner shall not be dispossessed from the land covered by the impugned notice.

The writ petition is accordingly disposed of.

Miscellaneous Petitions, if any pending in this Writ Petition shall stand closed. No order as to costs.

VILAS V.AFZULPURKAR, J

19th JANUARY, 2016.

kvni