

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12626 of 2010

ORDER:

This writ petition is filed against the letter dated 12-04-2010 in Lr.No.D/2027/2009 issued by the 1st respondent, wherein directed the 2nd respondent to take action for cancellation of the assigned lands in favour of the petitioners and take necessary action for assigning the same in favour of other people in the village.

Learned counsel for the petitioners submits that the 1st respondent-Revenue Divisional Officer (R.D.O.) is the appellate authority. As such, without issuing notice to the petitioners, such a direction in the impugned letter could not be issued to cancel the pattadar passbooks.

Learned Assistant Government Pleader for Revenue submits that the R.D.O. has directed the Tahsildar to take action as per rules. But, in view of the interim orders passed by this Court, no further action could be taken.

It is stated in the counter affidavit filed by the respondents that no action has been initiated as on today in furtherance of impugned letter. It is also stated that basing on the representation submitted by the persons, who are in possession of the subject land, to the District Collector, Medak District on 23-09-2009, the R.D.O. Medak has directed the 2nd respondent to submit a report.

Basing on the report in Lr.No.B/5101/2009 dated 8-10-2009 submitted by the 2nd respondent, the R.D.O. issued the impugned letter. Admittedly, the impugned letter is issued without issuing notice to the petitioners. It is also stated by the learned Assistant Government Pleader for Revenue that the 2nd respondent is concerned authority to take action, in case of any violation of conditions of patta granted to the petitioners.

In view of the same, the impugned letter is set aside. However, this will not preclude the 2nd respondent from taking appropriate action, in case of violation of conditions of patta granted to the petitioners.

Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-10-2016
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