

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30280 OF 2016

ORDER:

It is the case of the petitioner that she is the owner of land admeasuring Ac.0-30 guntas in Sy.No.35/2 situated at Telukapalli Village and Mandal, Mahabubnagar district and her name was also recorded in 1-B register. The petitioner was issued pattadar passbooks and title deeds and she obtained building permission in respect of extent of 342.22 square yards by paying necessary charges. While, the petitioner has been proceeding with the construction, the 2nd respondent issued notice dated 16-08-2015 directing the petitioner to produce documents in respect of title and stop the construction. The petitioner submitted copies of sale deed and house building permission obtained on 16-08-2016 in response to the impugned notice. No enquiry was conducted so far and the 2nd respondent is not allowing the petitioner to make further construction. Aggrieved by the same, the present writ petition is filed.

Heard learned counsel for the petitioner, who submits that impugned notice is not traceable to any provision of law.

On the other hand, learned Assistant Government Pleader produced written instructions and states that Form-1 and II notices have been issued on 06-09-2016, as the petitioner found to be violated provisions of Sub-section 2 of Section 3 of A.P.Assigned Lands (Prohibition of Transfers) Act

(for short “the Act”) and since the land was found to be assigned land, the construction was stopped.

It is to be seen that the petitioner was also issued pattadar passbooks and title deeds, obtained building permission and as on today, no orders are passed under the Act. In view of the same, the respondents shall not interfere with the construction made by the petitioner in the above property as per building permission obtained. It is open for the petitioner to submit her explanation after receipt of the notices dated 06-09-2016 and any further construction made will be subject to further orders to be passed by the respondent-authorities in the proceedings said to be initiated under the Act and rules made thereunder.

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

09-09-2016

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