

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

**WRIT PETITION Nos.3333, 3401, 3510, 3555, 3218, 3239, 3251,
3285, 3307 & 3308 of 2016**

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COMMON ORDER:

Since the issue involved in all these writ petitions is one and the same, these writ petitions are being disposed of by way of this common order.

2. Case of the petitioners is that the Tahsildar, Adilabad has passed the impugned order, dated 25.11.2015, resuming the respective assigned lands of the petitioners along with others situated at Anukunta Village of Adilabad Mandal, Adilabad District. The said order was preceded by a show cause notice which was replied by the petitioners and others, but without adverting to the reply given by them, the impugned order was passed holding that the assignees never cultivated the lands since the assignment and kept them fallow; that the assigned lands are put to non-agricultural purposes for making bricks instead of cultivation and that the assignees have leased out the assigned lands to others by selling gravel/mud. It is submitted by the petitioners that these lands have been assigned more than four decades back and they have been continuously cultivating them and the same is reflected in the pahanies and that the impugned order suffers from arbitrariness.

3. Learned counsel for the petitioners has filed copies of the explanations submitted by each petitioner before the Tahsildar, Adilabad, which were acknowledged by him on 9.9.2015 and 14.9.2015. He submits that the impugned order does not refer to the said explanations and due to the threat of dispossession, the petitioners have filed this batch of writ petitions.

4. Learned Government Pleader for Revenue (Telangana) however, on instructions, submits that the petitioners have availed the remedy of appeal before the Revenue Divisional Officer, Adilabad against the impugned order and the appeals are pending. It is also stated that the impugned order was executed under the panchanama dated 28.01.2016.

5. The lands in question have been resumed and presently, they are under the Government custody. In these circumstances, it is appropriate to direct that the appeals filed by the petitioners are to be heard and disposed of by the Revenue Divisional Officer, Adilabad, in accordance with law by way of a reasoned order, after giving an opportunity to the petitioners. Pending consideration of the said appeals, *status quo* existing as on today with regard to the lands in question shall be maintained.

6. Accordingly, all the Writ Petitions are disposed of. There shall be no order as to costs. Miscellaneous Petitions pending, if any, in these Writ Petitions shall stand closed.

JUSTICE VILAS V.AFZULPURKAR

Date: 05.02.2016
AMD

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THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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