

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.9403 of 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

2. Petitioners had filed application for issuance of ORC to the respondents on 15-03-2015. On 12-11-2015, the impugned memo has been passed by the respondent stating that the land in question is government land and is in the custody of the Government. Before passing this order, no notice had been issued to the petitioner under Rule 6 of the Rules framed under the A.P. (Telangana Area) Abolition of Inams Act, 1955 which provides that the respondents have to conduct enquiry by giving reasonable opportunity to the petitioners.

3. Since the impugned order is clearly in violation of principles of natural justice and also Rule 6 of the said Rules, it is set aside. The matter is remitted back to the respondents to consider afresh the issue of grant of ORC to the petitioners after considering the petitioner's submission/explanation. This exercise shall be completed within three months from the date of receipt of a copy of this order.

4. The Writ Petition is allowed to the above extent. No costs.

5. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 22-03-2016

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