

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.13583 of 2008

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, for the following relief:

“To issue writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in taking up appeal in C.M.A.No. 255/2005 by exercising the suo motu appellate powers under the Provisions of A.P. Scheduled Areas Land Transfer Regulation 1/1959 as amended by Regulation 1/1970 against the Order of the Special Deputy Collector, (T.W) Bhadrachalam Dt. 14-3-2001 in L.T.R. Case NO. 102/2000/DPT in Respect of the subject property of the petitioners measuring an extents of Acs 13-32 kts in Sy.No. 1294 situated at Nagupalli Village, of Dammamet Revenue Mandal, Khammam District and consequent issue of notice dt. 6-5-2008 to the deceased grand father of the 1st Petitioner and the father of the 2nd petitioner for purpose of hearing and disposal of the said C.M.A. No. 255/2005 as illegal, arbitrary, violative of the principles of Natural Justice and without jurisdiction & authority and to set aside the notice dt. 6-5-2008 in C.M.A. No. 255/2005 and the consequent proceedings in pursuance of the Notice for want of Jurisdiction and authority.”

2. It is represented by the learned counsel for the petitioners and the learned Government Pleader for Social Welfare that the issue in the present writ petition is squarely covered by the judgment of this Court in W.P.No.6386 of 2008, dated 04.01.2015 and a copy of the same is placed on record.

3. Following the above said order in W.P.No.6386 of 2008, dated 04.01.2015 and for the reasons recorded therein the writ petition is disposed of, declaring the action of the first respondent in entertaining the appeal *suo motu* as without jurisdiction. However, it is open to the first respondent herein to initiate action as per section 2 [a] of the Land Transfer Regulations, after giving notice and opportunity of hearing to the petitioners. As a sequel, pending miscellaneous petitions, if any, shall stand disposed of. No costs.

A.V.SESHA SAI, J

Date:31.10.2016
grk



THE HON'BLE SRI JUSTICE A.V.SESHA SAI



W.P.No.13583 of 2008

Dated 31st October, 2016

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