

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.24694 of 2007

ORDER:

This writ petition was filed challenging the initiation of proceedings under the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 in respect of the land to an extent of Ac.5.00 cents in R.S. No.112, Ac.6.30 cents in R.S. No.105 and Ac.5.53 cents in R.S. No.111/1 of Mettagudem Village, West Godavari District.

It is the case of petitioners that the Mettagudem village was a part of Guttala Zamin Estate. The father of petitioners purchased a vast extent of land and the brother of petitioner No.1, his wife and petitioner No.1 filed S.R. Nos.1770 to 1773 of 1976 before the Settlement Officer, Eluru, seeking grant of ryotwari pattas under the provisions of the A.P. Estates (Abolition and Conversion into Ryotwari) Act, 1948 under Regulation 2 of 1970. After following the due procedure under the provisions of the said regulation, ryotwari pattas were granted in their favour. It is also their case that when one S.Gangulu filed a complaint, the case was taken up in S.R.No.88/1978 and the same was disposed of on 07.11.1978 holding that the petitioners are entitled for the property and no order of ejectment can be passed against them. The said order has become final. The respondent again initiated proceedings in *suo moto* in S.R. No.156 of 1992 and the same was also decided in their favour on 06.02.1993. Now the petitioners alleged that the present proceedings are initiated at the instance of some local leaders.

Learned counsel for petitioners submits that they filed a detailed explanation to the notice issued by the respondent on 11.11.2007 and in spite of the same the respondent is going ahead with the enquiry.

It is needless to observe that if the proceedings are validly initiated by the respondent and the petitioners filed their objections, it is for the respondent to consider the objections filed by the petitioners and pass appropriate orders in accordance with law after giving due opportunity to petitioners. This Court cannot enquire into the title or affect of earlier orders passed in favour of the petitioners.

In the circumstances, this Writ Petition is disposed of directing the respondent to consider the explanation/objections submitted by petitioners on 11.11.2007, and pass appropriate orders in accordance with law within a period of three (3) months from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

26.02.2016

MVA