

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.25530 of 2016

ORDER:

In the present Writ Petition the Notice in Rc.No.135/2016/A, dated 25.06.2016 issued under Section 3 of the Andhra Pradesh Assigned lands (Prohibition of Transfers) Act, 2007 (in short "the Act"), by the 4th respondent-Thasildar, Kotauratla Mandal, is challenged before this Court.

The impugned notice has been issued to the petitioners alleging violation of the provisions of Section 3(2) of the Act and to submit their explanation within 15 days from the date of receipt of the notice as to why the petitioners shall not be evicted from the assigned land and as to why any crop or other product raised on land / lands and any building or other constructions erected of anything deposited thereon shall not be forfeited. Pursuant to the impugned notice petitioners had submitted their explanations to the notice.

However, learned counsel for the petitioners submits that petitioners being illiterate and not well versed with the legal niceties had not put forward the entire of their case before the authorities, particularly the purport of the proceedings dated 27.06.1988 issued by the Mandal Revenue Officer, Kotauratla Mandal, through which the petitioners were granted pattas. It is the specific case of the petitioners that the pattas were granted on payment of the value for the land and on account of the same the very assignment of land granted in favour of the petitioners is outside the purview of the provisions of the Act. Since, this aspect of the matter was not put forward before the authorities and inasmuch as the inquiry is yet to start, the respondent authorities may be directed to receive the additional explanation from the petitioners and give an opportunity of hearing to put forward their case.

Learned Government Pleader does not object for the suggestion put forward by the learned counsel for the petitioners so far as the submission of the additional grounds and additional explanation to the

impugned notice.

Considering the respective submissions and considering the prayer which is being made by the petitioners, interest of justice would be served if a fair opportunity is given to the petitioners to submit their additional explanation, in addition to the explanation what has already been submitted by them in response to the show cause notice, within a period of two weeks from the date of receipt of a copy of this order and the respondent authorities shall consider the same in accordance with law, before passing final orders in the matter.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any pending in this Writ Petition, shall stand closed.

CHALLA KODANDA RAM, J.

Date:09.08.2016

Note: Issue CC in 3 days

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