

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

Present

WRIT PETITION No.470 of 2011

Amaladasu Subba Rao,
S/o. Jaggulu, Aged about 57 years,
Scheduled Tribe, Occ: Agriculture,
R/o. Kasinagaram Village, Dummugudem Mandal,
Khammam District.

The Joint Collector,
Khammam,
Khammam District & 4 others

The Court made the following:

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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WRIT PETITION No.470 of 2011

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ORDER:

This writ petition is filed for a writ of *mandamus* declaring the action of the 1st respondent in passing the orders in ROR Revision Petition No.19 of 2008, dated 21.12.2010, by confirming the 2nd respondent orders in ROR Appeal No.3/DGM/2008, dated 02.02.2008, in respect of grant of pattadar pass book by the 3rd respondent in favour of the 4th respondent, dated 24.03.2004, bearing No.U 290173 against Patta No.26 in respect of land in Survey No.73/1 to an extent of Ac. 1.20 cents, situated at Kasinagaram Village, Dummugudem Mandal, Khammam District, in spite of the subject matter is pending before this Court in W.P.No.21554 of 2003 as illegal and void and consequently to direct the respondents not to interfere with the peaceful possession and enjoyment of the land in Survey No.73/1, to an extent of Ac. 6.20 cents and in Survey No.31/2 to an extent of Ac.1.00 cents, situated in Kasinagaram Village, Dummugudem Mandal, Khammam District.

2. Learned counsel for the petitioner states that respondents 6 to 11 in W.P.No.21554 of 2003 are not in possession and final patta certificates (D-Form) were issued in favour of respondents 6 to 11 and pattadar pass books have also been granted in their favour, which is in violation of Sub-Rule 26 of Rule-

26 of the A.P. Rights in Land and Pattadar Pass Books Rules, 1989.

3. The W.P.No.21554 of 2003 challenging the eviction orders in L.T.R.Case No.13/DGM/2002/C/937/1997, dated 14.12.2002, passed by the Agency Divisional Officer, Bhadrachalam, Khammam District, dated 14.12.2012, was dismissed holding that the alleged sale made by 4th respondent in favour of petitioner is much later to eviction order, dated 14.12.2002, and the said sale was not approved by the District Collector, Khammam, Khammam District as per Rule 18 of the LTR Rules framed under the A.P. Scheduled Areas Land Transfer Regulations, 1959.

4. Since the writ petition is also filed basing on W.P.No.21554 of 2003, for the reasons alike in the order in W.P.No.21554 of 2003, dated 29.02.2016, this Writ Petition is also dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

Date: 29th February, 2016

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