

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43548 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents 1 to 4. With their consent, the present writ petition is disposed of at the admission stage.

2. Since this Court is not going into the merits of the case, it may not be necessary to issue notice to respondent No.5.

3. The present writ petition came to be filed with the following prayer:

“...to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the notice dated 11.11.2016 issued by the 4th Respondent under Rule 3 of the A.P. Assigned Lands (Prohibition of Transfers) Rules, 2007, asking the petitioner to submit his explanation treating his land to an extent of Ac.1.84 cents situated in Sy.No.237/4 of Pothureddipalli Village, Nuzvid Mandal, Krishna District, as an Assigned land as illegal, arbitrary and violative of principles of natural justice and also without jurisdiction or authority and consequently, direct the Respondents 1 to 4 not to dispossess the petitioner from his land to an extent of Ac.1.84 cents situated in Sy.No.237/4 of Pothureddipalli Village, Nuzvid Mandal, Krishna District.”

4. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a

direction to the respondent authorities not to take any action till the orders are passed on the explanation submitted by the petitioner.

5. Learned Government Pleader for Revenue submits that he has no objection for the same provided the same is still pending consideration.

6. It is to be noted that pursuant to the notice dated 11.11.2016 the petitioner herein submitted an explanation on 21.11.2016 and no orders are passed till date.

7. Having regard to the above, the Writ Petition is disposed of directing the 4th respondent - Tahsildar, not to take any coercive steps till the orders are passed on the explanation dated 21.11.2016 submitted by the petitioner to Form – II Notice issued on 11.11.2016 in respect of the land to an extent of Ac.1.84 cents situated in Sy.No.237/4 of Pothureddipalli Village, Nuzvid Mandal, Krishna District, in accordance with law, at the earliest. It is needless to mention that the petitioner and the aggrieved persons, if any, shall be heard, if no orders are passed till date.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:15.12.2016
INL