

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22260 of 2016

ORDER:

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Heard learned counsel for the petitioner.

The petitioner is declarant in C.C.No.264/W/1975 filed under the provisions of Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1975 and the matter was remanded by Division Bench of this Court by its common order dated 25-02-2013 in CRP.No.6708 of 2003 and Batch. In pursuance of the same, the 2nd respondent issued notice on 21-04-2014 giving date of hearing on 26-04-201. On that the petitioner submitted written arguments and thereafter, no dates were given. Aggrieved by the same, the present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

Operative portion of common order, dated 25-02-2013, of Division Bench in CRP.No.6708 of 2003 and Batch reads as under:

“ The matter is remitted to the RDO, Chevella, to consider afresh whether petitioners in CRP.No.6708 of 2003 are entitled to ownership certificate u/s.38-E and/or sale certificate u/s.38-A of the Tenancy Act in respect of land of an extent Ac.36-25 cts retained by Kastopa (which is balance left out of Ac.190.17 gts (equivalent to Ac.190.42 cts) owned by it, after deducting (i) Ac.137.17 cts surrendered by Kastopa to the State under the Ceiling Act, and (ii) Ac.17.00 in Sy.No.50 of Gachibowli village (in which the petitioners never claimed to be protected tenants), in Sy.No.51, 52 and 53 of Gachibowli village, Serlingampally Mandal, Ranga Reddy District in the light of the applications filed before the said authority; and to consider the issues set out in para 94 supra in conformity with the observations, analyses and conclusions recorded in this judgment; apart from issues 1-4, 6,9 and 10 formulated by the Supreme Court in it's order dt.7.12.2010 in Civil Appeal No.3054 of 2006, after affording opportunity to all affected parties including R.8-72 and after duly verifying all the relevant records in original.”

In view of the above facts and circumstances, the 2nd respondent is directed to conclude the proceedings on merits

after issuing notice to the petitioner as well as to the respondents, in accordance with law, within a period of eight weeks from the date of receipt of the order.

Accordingly, the writ petition is disposed of.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

13-07-2016
Nvl

