

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION Nos. 36669 & 27003 of 2016

COMMON ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

2. These Writ Petitions are filed with the following prayer:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of respondent No.3 in Rc.B.297/2000, dated 02.04.2016, as illegal, arbitrary, violative of principles of natural justice and contrary to the provisions of G.O.Ms.No.1117 of 1993, dated 11.11.1993 read with the provisions of the A.P.Assigned Lands (Prohibition of Transfer) Act, 1977 and rules thereon and quash the proceedings in question.

3. The only ground urged by the learned counsel for the petitioners is that without following due process of law and without giving any notice, the impugned order came to be passed. It is his case that the order under challenge is contrary to the provisions of the above said G.O. and orders passed in W.P.No.11680 of 2015. The said aspect is not disputed by the learned Government Pleader. Further, he submits that the order under challenge may be set aside and respondent No.3-Tahsildar may be directed to pass fresh proceedings after hearing the petitioners.

4. Having regard to the above submissions and taking into consideration the contents of the common order passed in W.P.Nos.11680 and 29486 of 2015, dated 10.09.2016, the writ petitions are disposed of directing the Tahsildar to consider the matter afresh, after giving notice to the petitioners and all other affected parties. Further, the Tahsildar shall also give an opportunity to the respective assignees to submit their explanations, consider their cases and shall pass appropriate orders in accordance with law. It is made clear that the Tahsildar shall issue notice in terms of the earlier order to the respective assignees including the petitioners herein and to ensure service, learned counsel for the petitioners accepts to receive notice on behalf of petitioners. Hence, a copy of notice shall also be served on the learned counsel for the petitioners before passing appropriate orders.

5. With the above direction, the writ petitions are disposed of setting aside the order under challenge.

6. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

31.10.2016,

Note:

Issue CC in two days.

B/o.

vhh