

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4648 OF 2017

ORDER:

This petition is filed for a writ of *Mandamus* declaring the interference of respondents with peaceful and long possession of petitioner over the subject lands bearing Survey Nos.10 & 19, admeasuring Ac.14.82 cents & Ac.8.88 cents, respectively, situated in Samela Village of Asifabad Mandal, Kumram Bheem Asifabad District, as illegal and arbitrary and for a consequential direction to the respondents not to interfere with petitioner's peaceful possession over the subject land.

Learned counsel for the petitioner submits that admittedly, the lands of the petitioner were acquired vide proceedings No.B/914/85, dated 09.08.1985 and they were allotted to Annapurna Cements Company. Subsequently, after closure of Annapurna Cements, the said lands were sold in favour of 4th respondent. While the 4th respondent was running the factory, the petitioner used to work in the said factory and after closure the said factory, the petitioner has been cultivating the subject lands and petitioner's father name is also continued in the revenue records. Now petitioner states that acquisition of lands is for the purpose of non-tribal company which is in violation of Regulation 1 of A.P.Scheduled Areas Land Transfer Regulation Act, 1970 and that petitioner is entitled for restoration of possession of the subject land and petitioner is in possession of said lands since closure of the said company.

Learned Assistant Government Pleader for Revenue states that originally, the subject land is acquired in the year 1985, and allotted to the cement factory for whose benefit the land was acquired, and later as the cement factory was closed, the subject land was sold by the APSFC and 5th respondent purchased the same and as such the question of restoration of possession does not arise at this length of time.

In this case, even as per the petitioner his land was acquired way back in the year 1985 vide proceedings No.B/914/85, dated 09.08.1985 and a factory was established. Subsequently, the same was sold to the 5th respondent. In view of the same, the petitioner cannot contend that the said land which was acquired way back to be restored now in his favour and the acquisition proceedings cannot be challenged after a long lapse of time.. In view of the same, I do not see any reason to entertain the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

10.02.2017

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