

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32947 OF 2017

DATED : 03.10.2017

Between :

Naidu Rangaiah S/o.Late Gangaiah,
Aged 72 yrs, Occu : Cultivation,
R/o.Vadlagudem Village, Dammamet Mandal,
Bhadradri Kothagudem District.

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Petitioner

And

State of Telangana,
rep., by its Principal Secretary to Government,
Revenue Department,
Secretariat, Saifabad,
Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard.

2. According to the petitioner he is the owner, possessor and enjoyer of the land to an extent of Ac.5-00 in Sy.No.62/1 and Ac.5-00 in Sy.No.62/2, of Vadlagudem Revenue Village, Mustibanda Gram Panchayat, Dammapeta Mandal of Bhadrachalam District. This land was originally assigned in favour of his father Naidu Gangaiah. After the death of his father, petitioner succeeded to the said property and is enjoying. While so, a portion of land was leased out to 5th respondent who belongs to Forward caste community and in the guise of said lease, 5th respondent is unauthorisedly in occupation and in enjoyment dispossessing the petitioner and not handing over the possession of the said extent of land. Aggrieved thereby, petitioner submitted a representation to the Tahsildar, Dammapeta Mandal, on 27.06.2017 requesting him to take action as per Sections 3 and 4 of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. Alleging inaction on the said representation, this writ petition is filed.

3. Since the representation is pending, this Court is not inclined to entertain the writ petition and keep it pending.

4. In the facts of this case, the Writ petition is disposed of, without expressing any opinion on merits, directing the Tahsildar, to examine the merits of the claim of the petitioner as ventilated in his representation dated 27.06.2017 and take appropriate action. If he finds any merit in the contention of the petitioner, he shall

cause notice on the 5th respondent, afford due opportunity of hearing and take appropriate action as warranted by law and communicate the decision to the petitioner. The entire exercise shall be completed within a period of four (4) months from the date of receipt of copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

3rd October, 2017
Rds

