

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32344 OF 2017

DATED : 22.09.2017

Between :

Talari Adinarayana S/o.Late Talari Pullanna,
Age : 47 yrs, R/o.Taticherla Village,
Ananthapuramu Rural Mandal,
Ananthapuramu District & others.

..

Petitioners

And

The State of A.P.,
rep., by its Principal Secretary,
Revenue Department, S
Secretariat Buildings, Velagapudi,
Guntur District & others.

..

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32344 OF 2017

ORDER :

Heard.

2. Petitioners claim that they were successors to the assignees. Having found that the terms of assignment were violated and the action of alienation of right would amount to clear violation of the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short, 'the Act'), the Tahsildar Ananthapuramu, by order dated 04.07.2017, directed resumption of land to the Government in accordance with Section 4 (1) (a) of the Act. Aggrieved by the order of resumption of land, petitioners filed appeal before the Revenue Divisional Officer, Anantapuramu, on 04.08.2017 and the said appeal is stated to be pending consideration. At this stage, the present writ petition is filed.

3. The prayer sought in the writ petition is that the provision contained in Section 4 (1) (b) of the Act, is not followed and land is not resumed to the assignees. This Court is not inclined to express any opinion on this contention as it may prejudice the claim of the petitioners in the pending appeal.

4. Suffice to note that since appeal is already filed, the Writ Petition is disposed of, granting liberty to the petitioners to prosecute the appeal and to raise all contentions as available in law.

5. At this stage learned counsel for the petitioners states that in the meantime, there is possibility of mutations in the revenue records as ordered by the Tahsildar. However, it is open to the

petitioners to file application for grant of stay of the order of the Tahsildar. If such application is filed or to be filed, the appellate authority shall consider the same and take decision as expeditiously as possible, preferably within a period of three (3) 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

22nd September 2017
Rds

