

HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No.15491 of 2017

ORDER:

The petitioner challenges Notice No.B/ 146/ 2013 dated 13.04.2017 issued in Form-II under A.P. Assigned Lands (Prohibition of Transfer) Rules, 1997 (for short 'the Rules'), principally on two grounds, namely, issuing notice in Form-II to the assignee without issuing notice in Form-I is contrary to law in view of the ration laid down by this court in '*M/s Sudalagunta Sugars Limited vs. The Joint Collector, Chittoor*¹', and that notice dated 13.04.2017 is bereft of any reason and contrary to law as declared by this court in '*Dasari Narayana Rao & another vs. The Deputy Collector and the Mandal Revenue Officer, Serilingampally, Ranga Reddy District & others*².'

2. This court on 26.04.2017 stayed all further proceedings pursuant to the notice dated 13.04.2017.

3. Learned Assistant Government Pleader, firstly objects to the maintainability of the writ petition against a show cause notice and alternatively submits that the notice impugned in the writ petition, having regard to the decisions referred to above, can be set aside and 4th respondent be given liberty to proceed in accordance with law.

4. The statement is placed on record.

5. Notice impugned in the writ petition is set aside. Liberty is given to 4th respondent to take note of the decisions referred to above and proceed in the matter.

6. The writ petition is ordered accordingly. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S V. BHATT, J

Date: 22.06.2017
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¹ 2017(1) ALT 499

² 2010(4) ALT 655

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