

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30990 OF 2017

DATED : 14.09.2017

Between :

Meda Laxmaiah S/o.Chinna Laxmirajam,
Aged about 58 yrs, Occu : Agriculture,
SC Community R/o.Kasipet Village and Mandal,
Mancherial District.

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Petitioner

And

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

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Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner alleges that show cause notice dated 26.08.2017 was issued under Rule 3 of the Rules 2007, made under the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 in Form-II. But the said notice does not contain the essential details about assignment granted to assignees and whether such assignment was burdened with prohibition of alienation. In the absence of details of such assignment, no effective explanation can be filed.

3. Learned counsel for the petitioner placed reliance on the earlier decision of this Court in W.P.No.43357 of 2016, which was followed in the subsequent decisions.

4. The learned Single Judge, of this Court held as under :

“Hence, the impugned notice is set aside as it is bereft of the basic jurisdictional facts necessary for the petitioner to give an effective reply thereto. It is made clear that the order now passed by this Court shall not preclude the second respondent from issuing a notice afresh furnishing all the basic jurisdictional facts necessary for invoking his jurisdiction under the A.P.Act 9 of the 1977; and take action, thereafter, in accordance with law.”

5. Following the said decision, this writ petition is also disposed of. The show cause notice dated 26.08.2017 impugned herein is set aside and the Tahsildar, Kasipet Mandal, Mancherial District, is directed to issue proper show cause notice containing all the details of the property and give opportunity of submitting explanation to the petitioner. There shall be no order as to costs.

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

14th September 2017
Rds

P.NAVEEN RAO,J

