

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.20553 of 2011

ORDER :

This Writ Petition is filed by the petitioners assailing memo No.39476/ASN.B(3)/2008 dt.07.02.2011 of the 1st respondent refusing petitioners' request for alienation of Acre 1-08 guntas in survey No.10 of Batasingaram Village, Hayatnagar Mandal, Rangareddy District for the purpose of an approach road to the petitioners' property admeasuring Acres 39-06 guntas in survey No.17 of Pigli Pur Village, Hayatnagar Mandal, Rangareddy District.

2. Counsel for the petitioners contends that in para 6 of the impugned memo, the request of the petitioner was rejected on the ground that the land is resumed for violation under the A.P. Assigned Lands (Prohibition of Transfer) (Amendment) Act, 1977 and that it is not a valid reason for refusing the petitioners' request because after the land was resumed, it is available for alienation.

3. The Government Pleader for Assignment appearing for respondents is not able to show that the reason given in paragraph 6 of the impugned memo could be a valid reason for refusing to accede to the petitioners' request for alienation of the land of an extent of Acre 1-08 guntas in survey No.10 of Batasingaram Village, Hayatnagar Mandal, Rangareddy District.

4. Therefore, the Writ Petition is disposed of; the impugned memo dt.07.02.2011 is set aside; and the matter is remitted back to the 1st respondent to pass a fresh order after considering the request of the petitioners, recommendation of the Collector

dt.30.11.2007 as well as the report of the Commissioner of Land Administration dt.06.06.2009 & 10.09.2010 and to communicate its decision to the petitioner, within a period of eight (08) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

21st February, 2017.

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