

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.11724 OF 2017

ORDER

The case of the petitioners is that an extent of 0.37 guntas of land in S.No.261/2, Illanthakunta village and Mandal, Rajanna Siricilla District was assigned to the 1st petitioner and that he has been cultivating the same. The petitioners 2 and 3 are the sons of 1st petitioner. While so, the 3rd respondent – Mandal Revenue Officer issued show cause notice dated 15.5.2013 alleging that the 1st petitioner violated the terms and conditions of assignment issued under G.O.Ms.No.1406 dated 25.07.1958, by not cultivating the land. Petitioner submitted his explanation on 1.6.2013. Now the grievance of the petitioners is that without considering the explanation and passing any orders, the respondents are interfering with their possession.

This court by interim order dated 4.4.2017 granted *status quo* for a limited period.

The learned counsel for the petitioners would submit that the assignment was made prior to 1954 and the petitioner No.1 has been in possession of the land by cultivating the same. He submits that without passing any final orders on the explanation submitted by the petitioner pursuant to the show cause notice dated 15.5.2013, the respondents are interfering with the possession of the petitioners.

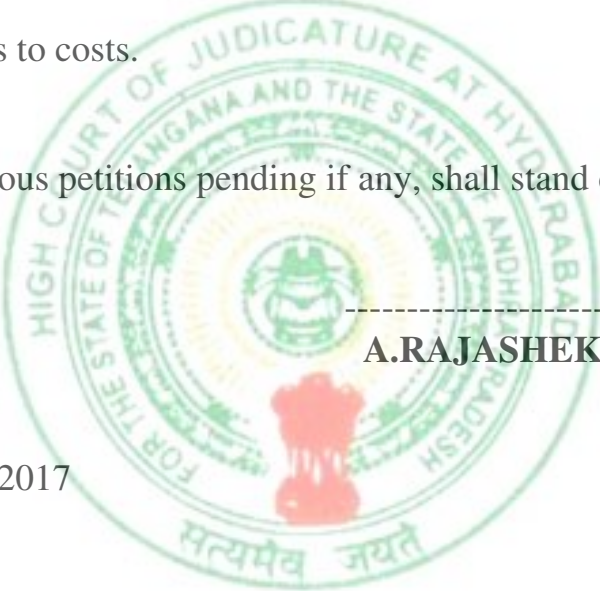
The learned Assistant Government Pleader for Revenue submits that since the petitioner No.1 is stated to have filed an explanation to the show

cause notice, the same would be considered and appropriate orders would be passed.

Having regard to the above facts and circumstances, without expressing any opinion on merits, the writ petition is disposed of at the stage of admission, directing the 3rd respondent – Mandal Revenue Officer/Tahsildar, to issue notice afresh and after affording the petitioners an opportunity of hearing, and considering the objections raised, shall pass appropriate orders in accordance with law. Till then the interim order of *status quo* granted by this court on 4.4.2017 shall continue.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.



A.RAJASHEKER REDDY,J

DATE:21—04—2017

AVS