

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.2247 OF 2017

ORDER:

This writ petition is filed challenging the proceedings vide Roc.No.383-I/2015(A)/137, dated 19.02.2016 issued by the 4th respondent-Tahasildar wherein the Tahasildar ordered for resumption of the subject land to the Government under the provisions of A.P.Assigned Lands (Prohibition of Transfer), Act, 1977. The grievance of the petitioner is that though he submitted explanation on 12.10.2015 in pursuance to the show cause notice dated 01.10.2015, the impugned order is passed stating that the petitioner has not submitted any application.

Heard both sides.

It is specifically asserted in the writ affidavit that the petitioner submitted application by RPAD on 12.10.2015 in response to the show cause notice dated 01.10.2015 and the same is not denied by the respondents. In view of the same, the impugned order is liable to be set aside mainly on the ground of violation of principles of natural justice.

In view of the above, the impugned order dated 19.02.2016 is set aside and the matter is remanded back to the 4th respondent-Tahasildar for passing appropriate orders. It is also open for the petitioner to file copy of explanation once again before the Tahasildar and the Tahasildar shall pass final orders after giving opportunity of hearing to the petitioner, within a

period of two weeks from the date of receipt of a copy of this order. Till passing of final order, *Status quo* obtaining as on today shall be maintained.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

31.01.2017
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A.RAJASHEKER REDDY, J

