

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10962 of 2017

ORDER:

This writ petition is filed declaring the proceedings dated 26.10.2016 issued by the 4th respondent without issuing any notice under Form-I of Rule-3 of the A.P.Assigned Lands (Prohibition of Transfers) Rules, 2007 and without inviting objections from the petitioner, and the consequential action of the respondents in insisting the petitioner to vacate from his landed property admeasuring Ac.0.50 cents in Survey No.454/1D, situated in Singupuram Revenue Village in Srikakulam Rural Mandal of Srikakulam District, as illegal and arbitrary and for a consequential direction to the respondents not to interfere with possession of the petitioner's land.

The case of the petitioner is that his father died on 12.08.2006, but whereas the impugned order dated 26.10.2016 was issued by the 4th respondent in the name of his father stating that notices were served on the father of the petitioner. He also placed reliance on the death certificate dated 25.08.2006, issued by the Executive Officer, Cat-1,Panchayat Secretary, Singupuram.

In view of the above, the impugned order dated 26.10.2016 is set aside. However, this order will not preclude the competent authority from issuing fresh notices to the

petitioner and legal heirs of the father of the petitioner for taking appropriate action.

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

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

A.RAJASHEKER REDDY, J

28.03.2017
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