

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.34278 & 34291 OF 2017

DATED : 13.10.2017

W.P.No.34278 of 2017 :

Between :

Kasa Gopi S/o.Ramchander,
Aged 52 yrs, Occu: Business,
R/o.H.No.13-451, Chintapanduwada,
Mancherial Mandal & District & another

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Petitioners

And

The State of Telangana,
Rep., by the Principal Secretary (Revenue),
Secretariat, Hyderabad & others.

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Respondents

W.P.No.34291 of 2017 :

Between :

Jangeti Srinivas S/o.Jeggaiah,
Aged 36 yrs, Occu : Business,
R/o.H.No.16-75, Shanthinagar,
Mandamarri Mandal & Mancherial District

..

Petitioner

And

The State of Telangana,
Rep., by the Principal Secretary (Revenue),
Secretariat, Hyderabad & others.

..

Respondents

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.34278 & 34291 OF 2017

COMMON ORDER :

Heard.

2. Petitioners challenge the notice dated 30.09.2017 issued by the Tahsildar, Mancherial District, under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 (for short 'the Rules'), alleging violation of the assignment conditions and calling upon the petitioners to show case as to why they should not be evicted from the subject lands and why any crop or other produce raised on land/lands and any building or other construction erected for anything deposited thereon should not be forfeited.

3. The notice is challenged primarily on the ground that the notice lacks essential details and therefore, no effective explanation can be filed. The notice must contain the details of assignment made, nature of assignment made and alleged illegal transaction and then only an effective explanation can be filed.

4. At this stage, this Court is not inclined to go into elaborate discussion on the contents of the notice and the requirements since the learned Assistant Government Pleader agrees that the notice does not contain the details and the matter can be remitted to the competent authority.

5. Having regard to these submissions, the notice dated 30.09.2017 is set aside and the writ petitions are allowed. However, liberty is granted to the Tahsildar, Mancherial District, if

so advised to proceed under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 and the Rules made thereunder and if the Tahsildar, decides to issue notice, the same should contain the essential details to enable the parties to submit their explanation. There shall be no order as to costs.

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

P.NAVEEN RAO,J

13th October 2017
Rds

