

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.42924 OF 2016

ORDER

This writ petition is filed for the following relief:

“... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 in conducting enquiry on the application made by the petitioners on 20.10.2016, under the provisions of the A.P.Scheduled Area Land Transfer Regulation 1/1959 as amended by Regulation 1/1970 and in restoring the lands admeasuring total Ac.49.56 cts in R.S.No.135 (Acr.2.11 cts) R.S.No.182/1 (Acr.7.75 cts) R.S.No.183 (Acr.5.42 cts), R.S.No.184 (Acr.5.00 cts) R.S.No.186/1 (Acr.11.01 cts), R.S.No.186/2 (Acr.9.25 cts) and R.S.No.186/3B (Acr.8.62 cts) of Reddy Ganapavaram Village, Buttaigudem Mandal, West Godavari District from the respondents Nos.4 to 20, in spite of issuing notice on 24.10.2016 by the 3rd respondent to the petitioners, as bad, illegal, contrary to the provisions of said Regulation and offends Articles 14 and 300-A of Constitution of India and to pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

A counter-affidavit is filed by respondent No.4 stating that the he is in possession and enjoyment of Ac.3.00 cents in R.S.No.135 and the petitioners have no right or title over the said land. It is further stated that the then Special Deputy Collector, K.R.Puram conducted an enquiry and gave finding in favour of Indupginga Ganga Raju on 2.5.1995.

Learned Government Pleader for Tribal Welfare appearing for respondents 1 to 3 submits that enquiry was taken up and it is in progress.

Since enquiry under the provisions of the A.P.Scheduled Area Land Transfer Regulation 1/1959 as amended by Regulation

1/1970, is under progress, the 3rd respondent is directed to conduct the same by giving due opportunity to the petitioners as well as respondent Nos.4 to 20 and pass final orders within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

8th March, 2017
rkk

