

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.11096 of 2014

ORDER:

Heard Mr.V.Rajagopal Reddy for petitioner and the learned Assistant Government Pleader for Revenue.

2. Petitioner prays for Mandamus declaring the action of respondents in cancelling the purchase of Ac.10.00 gts. of land in Survey No.343/24 & 25 in Ameenpur Village, Patancheru Mandal, Medak District, as violative of principles of natural justice, illegal and unconstitutional.

3. The petitioner alleges that the petitioner purchased the subject matter of the writ petition through registered sale deed, dated 29.12.2005. According to petitioner, 4th respondent on 30.05.1999 assigned the subject matter in favour of Nelli Rajaiah and Bonagiri Maisaiah. The respondents, by referring to proceedings No.E1/1500/07, dated 09.07.2007, are interfering with the possession of the petitioner and treating the alienation in favour of the petitioner is null and void. Counsel for petitioner has confined his submissions to the illegality in the impugned order viz., not following the principles of natural justice even if jurisdiction exercised and an order is passed under Section 166-B of A.P.L.R. Act 1917 Fasli. He relies on the order, dated 08.02.2007, in W.P.Nos.2163 and 2315 of 2007,

wherein the proceedings, dated 27.01.2007 of Joint Collector, Medak District at Sanga Reddy, were assailed. By reference to the order, dated 08.02.2007, he contends that the respondents may be directed to treat the impugned proceedings, dated 09.07.2007 (Ex.P.1) as notice and petitioner may be given time to file explanation before the authority.

4. I have perused the counter filed by 4th respondent. The counter-affidavit refers to notices said to have been issued to the assignees, but it is silent on issuing notice to petitioner, who has purchased the property through a registered sale deed. The Assistant Government Pleader for Revenue submits that the proceedings are treated as notice, the same shall be confined to the extent purchased by petitioner company through registered sale deed, dated 29.12.2005, and the petitioner can be given time to file explanation within reasonable time.

5. The statement is placed on record.

6. The writ petition is disposed of by this order.

Proceedings, dated 09.07.2007, are directed to be treated as show-cause notice and petitioner is given six weeks time from today to submit explanation to 2nd respondent. 2nd respondent follows the procedure prescribed under Section 166-B of A.P.L.R. Act, 1317 Fasli and disposes of the matter within three months from the date of receipt of

explanation. The parties are directed to maintain *status quo* as regards possession and physical features of subject matter during pendency of enquiry before the Joint Collector, Medak District at Sanga Reddy.

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

S. V. BHATT, J

1st September 2017

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