

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35642 OF 2017

DATED : 26.10.2017

Between :

Abbu Satyanarayana S/o.Laxmaiah,
Aged 49 yrs, Occu : Agriculture,
R/o.H.No.12-392/5, Eturunagaram (V & M),
Jayashankar-Bhupalpally District
(Formerly Warangal District)

.. Petitioner

And

State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Hyderabad, Telangana State & others.

... Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35642 OF 2017

ORDER :

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue. With the consent of both the counsel the writ petition is disposed of at the admission stage.

2. At this stage, this Court is not entering into the details of the issue. Suffice to note that alleging violation of the terms of assignment granted under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short, 'the Act, 1977') and illegal purchase made by the petitioner, the Tahsildar, passed orders on 06.09.2017 directing eviction and seizure of the property. It appears petitioner constructed house and he not only resides in the said house, but also let out a portion on lease basis. Aggrieved by the said order, petitioner preferred appeal before the Sub-Collector, Mulug. He has also filed an application to grant stay of the order of the Tahsildar. By the order impugned the Sub-Collector, refused to stay the order of the Tahsildar but granted liberty to take back the movable items in the said property.

3. Learned counsel for the petitioner contends that in addition to the proceedings initiated under the Act, 1977, the Special Deputy Collector, Tribal Welfare issued notice in Form-F dated 15.07.2016 under the Land Transfer Regulation 1959 and the said proceedings are also pending.

4. Having regard to the peculiar facts the appellate authority is directed to dispose of the appeal, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of copy of this order. The Special Deputy Collector, Tribal Welfare is also directed to finalize the proceedings in pursuant to the notice issued in Form-F on 15.07.2016, as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of copy of this order.

4.1. The Tahsildar and Sub-Collector are also directed to permit the petitioner to occupy one portion of the house in dispute only for his personal occupation, till the orders are passed by the appellate authority and by the Special Deputy Collector respectively. It is made clear that the rented portion shall be kept in the lock and key of the Tahsildar, Eturunagaram, till the final orders are passed as directed above. However, if any movables are available in the said locked premises which were earlier leased out, the petitioner may be permitted to take out those movables in the presence of the Tahsildar.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

26th October 2017
Rds

P.NAVEEN RAO,J