

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.8493 of 2007

ORDER:

When the matter was taken up for hearing on 08.03.2018, there was no representation for petitioners and the matter was passed over for the day. Likewise, on 09.03.2018, there was no representation for petitioners and the matter was passed over for the day. Even today, when the matter is taken up for hearing, there is no representation for petitioners.

The petitioners pray for Mandamus declaring the action of respondents in calling upon the petitioners to vacate from agricultural lands in their possession by referring to notices in Rc.No.E2/1999/2005, dated 06.06.2005 and proceedings of the Grama Sabha conducted on 09.03.2007 by 4th respondent, as illegal, arbitrary and unconstitutional.

On 23.04.2007, this Court granted *status-quo* and the same is subsisting as on date.

Learned Assistant Government Pleader places on record the written instructions, dated 06.03.2018 and the operative portion reads as follows :-

“It is to inform that all the lands covered by the W.P. are 8493/ 2007 are R.S.R Dotted Lands. It is true that a notice was issued on 06.06.2005 in Form-I under Rule 3 of the A.P.Assigned Lands (POT) Rules, 1977 from the Collector's office on behalf of the District Collector in respect of the lands covered by the W.P.

relating to Darakanipadu village of Gudluru Mandal, as shown below.

S.No.	Sy.No.	Extent	Name of the person to whom notice issued	Whether explanation received (Yes/ No)
1.	68/ 1	4-76	Pasupuleti Lakshmmaiah	Received
2.	68/ 2A	1-42	Pasupuleti Ademma	Received
3.	68/ 2A	1-42	Abburi Adeiah	Received
4.	68/ 1	4-76	Mulagiri Malyadri	Received
5.	<u>223/ 4</u> <u>227/ 1</u>	<u>4-82</u> <u>0-40</u>	S.Subramanyam	Received
6.	<u>229/ 1</u> <u>228/ 1</u>	<u>2-27</u> <u>1-50</u>	G.Narayana	Received
7.	195/ 2C	1-01	T.Narasimham	Received
8.	195/ 2D	0-89	T.Ankamma	Received
9.	195/ 1A	1-00	K.Pamanamma	
10.	151/ 1C	0-64	K.Lalithamma	Received
11.	151/ 2C	2-05	K.Venkata Subbamma	Received
12.	<u>223/ 4</u> <u>227/ 1B</u>	2-69	S.Vamma	Received
13.	221/ 2	2-00	V.Madhava Rao	Received
14.	<u>69/ 1C1</u> <u>69/ 2A</u>	<u>4-44</u> <u>1-34</u>	V.Annapunamma	Received

It is further submitted that later in time the above files were sent to the Tahsildar's office, Gudlur for taking necessary action by the Tahsildar, Gudlur as per the provisions of the A.P.Assigned Lands Act, 1977. These all the above cases covered by the W.P. are pending before the Tahsildar, Gudlur and no final orders have been passed so far. As seen from the explanations filed, they are contending that the lands in respect of which notices issued are not assigned lands. The connected records are being traced to ascertain finally as to whether they are assigned lands. The records will be traced and final orders will be passed in the above cases, in accordance with law, after vacation of the status-quo orders passed by the Hon'ble High Court in

W.P.M.P.No.10896/ 2007 in W.P.No.8493/ 2007, dated 23.04.2007.

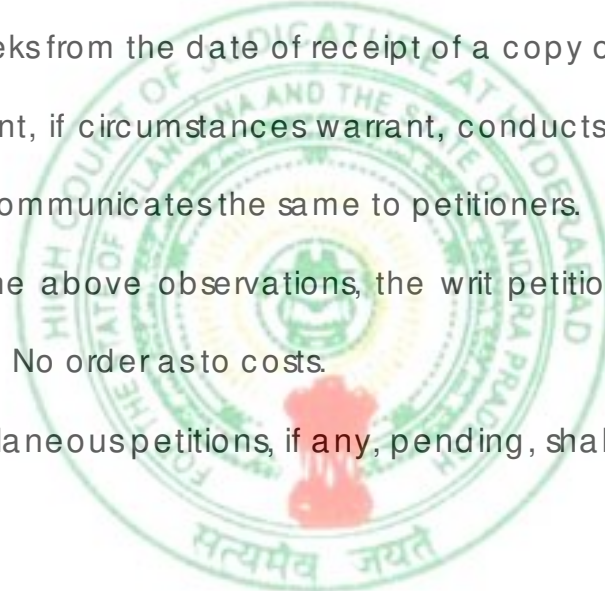
There is no any proposal to evict the petitioners during the pendency of the above proceedings under the POT Act, 1977.”

The written instructions dated 06.03.2018 are placed on record and accepted.

From the instructions, dated 06.03.2018, it is clear that the respondents do not intend to dispossess the petitioners during pendency of proceedings under the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 and the Rules made thereunder. The petitioners are given liberty to file additional explanation, if any, within six weeks from the date of receipt of a copy of this order. The 4th respondent, if circumstances warrant, conducts enquiry, passes orders and communicates the same to petitioners.

With the above observations, the writ petition is disposed of accordingly. No order as to costs.

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



S. V. BHATT, J

Dt: 12.03.2018
Prv

