

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7738 of 2018

ORDER:

It is the case of the petitioners that the first petitioner is the mother of the second petitioner and they have been cultivating the land of an extent of Ac.1.16 cents in Survey No.126/1p situated at Pillamedu Village, Hamlet of Dinedu Village, Thottambedu Mandal in Chittoor District. Originally the said land was assigned in favour of the grandfather of the second petitioner. After his death, the father of the second petitioner was cultivating the said land. Later, the father of the second petitioner also expired. Thereafter, the petitioners came into possession of the property. While so, when the petitioners noticed that the name of the third party was entered in the possessory column of the adangal in the year 2016, they submitted a representation to the concerned authorities followed by a legal notice dated 03.08.2016. It is the further case of the petitioners that on 29.01.2018 the first petitioner applied for issuance of pattadar pass books and title deeds in favour of the petitioners and no action was taken on the said application also. It appears that the third respondent earlier issued a notice on 23.10.2017 stating that the assigned land was transferred in favour of third parties in violation of the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act and the petitioners submitted their explanation on 01.11.2017. No final order was passed pursuant to the said

notice. Now the petitioners state that there is a threat of dispossession from the land and in those circumstances, they filed the present Writ Petition.

As could be seen from the above averments, the application of the petitioners for issuance of pattadar pass books and title deeds is pending and the proceedings initiated by the third respondent on 23.10.2017 for violating the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act are also pending.

In the circumstances, the third respondent is directed to take action in respect of those two proceedings and pass appropriate orders in accordance with law by considering the explanation already submitted by the petitioners on 01.11.2017. Till a final order is passed, the petitioners shall not be evicted from the land in their possession.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

09.03.2018
vs