

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11194 OF 2018

Dated:06.04.2018

Between:

Gollapally Sugnan, S/o. Abba Sailu,
Aged about 50 years, Occ: Labourer,
R/o. Kodakandal (V & M) Jangaon
District, Hyderabad and others

.. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Department of Revenue,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioners claim that their forefathers were assigned lands admeasuring Ac.1.00 to Ac.1.20 guntas each in Survey No.100 of Kodakandla Village and Mandal, Jangaon District, and after their death, they succeeded to the property and are in occupation of the same. While so, the Tahsildar, Kodakandla Mandal, Jangaon District, passed orders on 22.07.2017 resuming the land in exercise of power under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short, 'the Act, 1977') and such resumption is bad in law.

3. Learned counsel for the petitioners sought to contend that the Government of Telangana has taken a policy decision to assign land to an extent of Acs.3.00 to landless poor persons and atleast under the said scheme, land ought to have been allotted to the petitioners.

4. The order impugned in the Writ Petition is made in exercise of power under Section 3 of the Act, 1977. Against the decision made by the Tahsildar, appeal shall lie under Section 4-A of the Act, 1977 or in a given case, revision can be filed under Section 4-B of the Act, 1977. Without availing the said remedy of appeal and after exhausting the time limit for filing appeal, petitioners filed this Writ Petition.

5. A reading of the material would show that long ago the original assignees sold the property. *Prima facie*, it cannot be said that the Tahsildar violated the mandate of the Act, 1977 in resuming the land. If petitioners have any other grievance or they claim that they are entitled to assignment of land as landless poor persons under the scheme formulated by the Government, it is open to them to apply to the competent authority for assignment of the land afresh.

6. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out remedies against resumption of land or assignment of land afresh as landless poor persons under the policy of the Government, as the case may be. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

Date:06.04.2018

KH

P. NAVEEN RAO, J

