

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12829 OF 2018

DATED :16.04.2018

Between :

Gangi Setty Satyanarayana S/o.Malakondaiah,
50 yrs, R/o.Sangam Village and Mandal,
SPSR Nellore District & others

.. Petitioners

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Velagapudi,
Guntur District & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners herein claim to have purchased the subject lands mentioned in the prayer of the writ petition. Alleging that the assignees have violated the conditions of assignment and illegally sold the assigned land to the petitioners, the Tahsildar passed order of resumption of land. Aggrieved thereby, petitioner preferred appeal. It appears the appellate authority issued notice on 19.02.2018 to hold enquiry on 17.03.2018 and later adjourned. So far the proceedings are not concluded. This writ petition is filed alleging that petitioners are already cultivating the land and paddy is ripe for harvest. At this stage, the respondent authorities are preventing the petitioners from taking the produce and in such an event grave prejudice would be caused. In support of their claim petitioners enclosed photographs showing grown up paddy, however, no other material is filed in support of the claim that petitioners are in possession of the subject land and on the subject land paddy is grown. Therefore, no positive direction as sought for can be granted at this stage.

3. Having regard to the above, petitioners are granted liberty to make an application before the Tahsildar within one week. If such application is made before the Tahsildar, with supporting material to show that they have grown paddy crop, the Tahsildar may consider and permit the petitioners to take the paddy produce.

However, it is made clear that even if petitioners have grown the paddy and are permitted to take the produce until the appeal is decided petitioners cannot undertake further cultivation of land. The appellate authority is also directed to dispose of the appeal, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of copy of this order.

4. 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.

16th April, 2018
Rds



P.NAVEEN RAO,J