

**THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

**WRIT PETITION NO.13697 OF 2006**

**ORDER:**

This writ petition is filed seeking to declare the order in Rc.D/784/06, dated 3-5-2006 passed by 1<sup>st</sup> respondent as illegal, irregular, arbitrary, violative of principles of natural justice, provisions of A.P. Assigned Land (Prohibition of Transfers) Act and Rules framed there under, Board of Revenue Standing Orders and consequently direct the respondents not to dispossess the petitioner from the site and house admeasuring Ac.0.05 cents in plot No.54 situated in Survey No.608/A3/A of Martur village.

2. The petitioner is in possession and he is the owner of the plot bearing No.54 in Sy.No.608/A3/A of Martur village, admeasuring Ac.0.05 cents under assignment issued by the revenue authorities of erstwhile Addanki Taluq.

3. Upon certain objections received, the Mandal Revenue Officer, Martur, respondent No.2 herein, has conducted an enquiry and submitted a report to the Revenue Divisional Officer, Ongole, respondent No.1 herein, which goes against the petitioner. In pursuance thereof, the first respondent passed the impugned order dated 3-05-2006, canceling the possession certificates of the petitioner without giving any notice and without giving reasonable opportunity of personal hearing. The said action of the first respondent is in gross violation of principles of natural justice.

3. Heard.

4. Admittedly, the impugned order passed by the first respondent is without giving any notice and is in gross violation of principles of natural justice. Hence, the order of the first respondent is liable to be set aside. However, it is open to the respondents that in the event of passing any orders in the matter, they are at liberty to proceed in accordance with law.

5. Accordingly, the writ petition is disposed of, setting aside the order in Rc.D/784/06, dated 3-5-2006 of the 1<sup>st</sup> respondent. No order as to costs. As a sequel, the miscellaneous petitions pending if any shall stand closed.

Date: 15-03-2018.  
Shr.

**T.AMARNATH GOUD, J**

