

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
WRIT PETITON Nos 29753, 29850, 29860 and 29927
of 2018

COMMON ORDER:

Since the petitioners are challenging the similar impugned order and seeking similar relief, these writ petitions are being disposed of by common order.

The grievance of the petitioners in all these writ petitions is that they are in possession and enjoyment of the subject land respectively since more than 70 years and they were also issued pattas in respect of the same. The respondent-authorities on the ground that the subject land situated in the Scheduled area is under enjoyment of Non-Tribal in violation of provisions of Section 3 of Regulation 1 of 1959 as amended by Regulation 1 of 1970 and passed the impugned orders by issuing notice only to the persons, who are predecessors-in-title and who passed away, but not to the petitioners and trying to evict the petitioners from the subject land respectively, which is in violation of principles of natural justice. Hence filed the present writ petitions to set aside the impugned orders.

Learned Assistant Government Pleader for Social Welfare basing on instructions submits that the impugned orders show that notice was issued and that petitioners have an alternative remedy.

It is to be seen that the names mentioned in the impugned orders are different from the petitioners, which

shows that petitioners are not served notices before passing the impugned order. As such, the respondents will have to issue notice to the petitioners and pass appropriate orders.

In view of the same, the impugned orders are set aside only on the ground of violation of principles of natural justice and the 4th respondent is directed to issue notice to the petitioners and after giving opportunity of hearing to them, pass appropriate orders in accordance with law.

Accordingly, these writ petitions are allowed to the extent indicated above. As a sequel to the disposal of these petitions, miscellaneous petitions, if any, pending shall stand closed.

07-09-2018
Nvl

A.RAJASHEKER REDDY,J





