

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 30256 of 2018

ORDER:

The present writ petition came to be filed seeking issuance of writ of certiorari to call for the records and quash the proceedings in RC.B.No. 469/ 2018, dated 28.06.2018 and consequential notice dated 19.07.2018, and to declare the action of the 3rd respondent in issuing the above proceedings, in contrary to Section 3(5) of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, as illegal, improper and unconstitutional.

2. The learned counsel for the petitioners would submit that pursuant to the notice issued by the Tahsildar, Racherla Mandal, Prakasam district, which was signed on 19.07.2018, directing the petitioners to appear before the authorities on 24.07.2018, the petitioners submitted their explanation on 21.07.2018, enclosing all the documents in support of their plea. The grievance of the petitioners is that without passing any orders on the said explanation, the authorities are trying to dispossess the petitioners from the schedule property. The learned counsel further submits that the Tahsildar has no jurisdiction to issue such notice.

3. The learned Government Pleader would submit that the issue of jurisdiction can be considered by the Tahsildar at the time of passing orders on the explanation submitted by the petitioners, if not already passed.

4. Having regard to the above, the Tahsildar, Racherla Mandal, Prakasam district, before whom the petitioners are said to have

submitted their explanation to the notice signed on 19.07.2018, shall pass appropriate orders on the said explanation, in accordance with law, as early as possible, preferably, within a period of four to six weeks from the date of receipt of a copy of this order. Till passing of the order, status quo as on today shall be maintained with regard to the entries in the revenue records.

5. Accordingly, the writ petition is disposed of at the admission stage. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

24.08.2018
DMG



JUSTICE C. PRAVEEN KUMAR