THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 31516 of 2018

ORDER:

It is the case of the petitioners that originally, Chowan Dev Singh, who is the father and husband of the 1st and 2nd petitioners respectively, was allotted lands admeasuring Ac.0.02 guntas, Acs.6.37 guntas, Ac.0.02 guntas and Acs.6.37 guntas in Survey Nos.1/221/A, 1/235/A, 1/122/B and 1/235/A respectively, situated at Gudamamada Village, Jainoor Mandal, Kumurambheem Asifabad District; that they leased out the said lands to one Dharavath Harilal, who is the husband and father of respondent Nos.5 and 6 respectively; that they borrowed certain amount from respondents 5 and 6 and they signed on the blank papers as security; that respondents 5 and 6 by misusing the said signed papers, got the land transferred in their name; that when they submitted an application to the fourth respondent – Tahsildar, Jainoor Mandal, Kumarambheem Asifabad District, for cancellation of pattadar pass books and title deeds issued in favour of respondents 5 and 6, the fourth respondent cancelled the assignment vide order, dated 29.05.2014; that challenging the said order, respondents 5 and 6 filed appeal before the third respondent – Revenue Divisional Officer, Utnoor,

Kumarambheem Asifabad District, who in turn, passed order on dated 18.01.2016 by setting aside the order of the fourth respondent and directing the fourth respondent to conduct fresh enquiry and to pass appropriate orders and that though two years had elapsed, the fourth respondent had not passed any order so far and respondents 5 and 6 are enjoying the lands in question. Hence, the petitioners filed this Writ Petition seeking to issue directions to the fourth respondent to pass orders as directed by the third respondent vide order, dated 18.01.2016.

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for respondents 1 to 4.

The facts are not in dispute. As can be seen from the order, dated 18.01.2016, the third respondent directed the fourth respondent to pass fresh orders after considering the contentions of the respective parties. It may be noted that the said order came to be confirmed by the Joint Collector when it was challenged by the petitioners. It may also be noted that there is a duty cast on the fourth respondent to pass appropriate orders after hearing the petitioners as well as respondents 5 and 6 and conclude the

proceedings initiated under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

In those circumstances, this Writ Petition is disposed of with the direction to the fourth respondent to conclude the proceedings initiated under the aforesaid Act in terms of the order, dated 18.01.2016, passed by the third respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any pending, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

4th SEPTEMBER, 2018.

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