

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31856 of 2018

ORDER:

The present writ petition came to be filed seeking the following relief:

“To declare the action of respondents in seeking eviction of the petitioner from the land covered in RS No. 94/ 5 an extent of Ac.3.90 Cts situated at P.Narayanapuram Village, Jeelugumilli Mandal, West Godavari District, without passing any orders on the explanation submitted by the petitioner on 18.12.2017, as illegal, arbitrary and contrary to the provisions of A.P. Assigned Land Prohibition of Transfer Act 7 of 1977 and consequently direct the respondents not to evict the petitioner from her land covered in RS No. 94/ 5 an extent of Ac.3.90 Cts situated at P.Narayanapuram Village, Jeelugumilli Mandal, West Godavari District.”

2. The learned counsel for the petitioner would submit that though the petitioner submitted explanation on 18.12.2017 to the notice issued to him under Form-II of Rule 3 of the A.P. Assigned Lands (Prohibition) of Transfer Act, 1977, till date, no orders are passed on the same. According to him, without passing any orders on the explanation of the petitioner, the authorities are trying to evict the petitioner from the schedule land.
3. Learned Government Pleader would submit that if the petitioner has submitted his explanation to the show cause

notice, the respondents will pass appropriate orders on the same, in accordance with law, at the earliest.

4. In view of the above, the present writ petition is disposed of with consent, at the admission stage, directing the 3rd respondent-Tahsildar, Jeelugumilli Mandal, West Godavari District to pass appropriate orders on the explanation submitted by the petitioner on 18.12.2017 to the show cause notice issued to him in Form-II of Rule 3 of the A.P. Assigned Lands (Prohibition) of Transfer Act, 1977, 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 such time, if the petitioner is in possession of the schedule property, the authorities shall not evict the petitioner without following the due process of law. There shall be no order as to costs.

5. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

06.09.2018
DMG