

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34365 OF 2018

ORDER:

This writ petition came to be filed seeking to declare the action of the 4th respondent to enquire into and decide the O.P.No.6 of 1988, pending for adjudication on its file under the provisions of Andhra Pradesh Assigned Land (Prohibition of Transfer) Act, 1977 (for short, "the Act") and rules made thereunder, despite the representation dated 2.6.2018, submitted by the petitioner, as illegal and arbitrary.

It is the case of the petitioner that his father Chekuri Gopaiah was assigned with the land admeasuring Ac.5.12 cents situated at Sy.No.313/1 of Teegalavanch Revenue Village in the year 1957 vide proceedings in LD No.229/66, that thereafter the father of the petitioner died intestate leaving behind him, his wife and a son i.e the petitioner. Taking advantage of the death of the father of the petitioner, the respondents 5 and 6, illegally taken the possession of the subject property. Thereafter, the petitioner and his mother submitted an application seeking restoration of the subject land and the 4th respondent took the said application on file and numbered as O.P.No.6 of 1988 and issued notice under Section 3 of the Act to the father of the respondents 5 and 6. It is further stated that the petitioner again submitted a representation to the 4th respondent on 2.6.2018, requesting him to enquire into the O.P.No.6 of 1988, and take appropriate action for restoration of possession in favour of the petitioner initiating necessary action under the provisions of the Act, but the 4th respondent did not take any action, so far. Hence, the present writ petition.

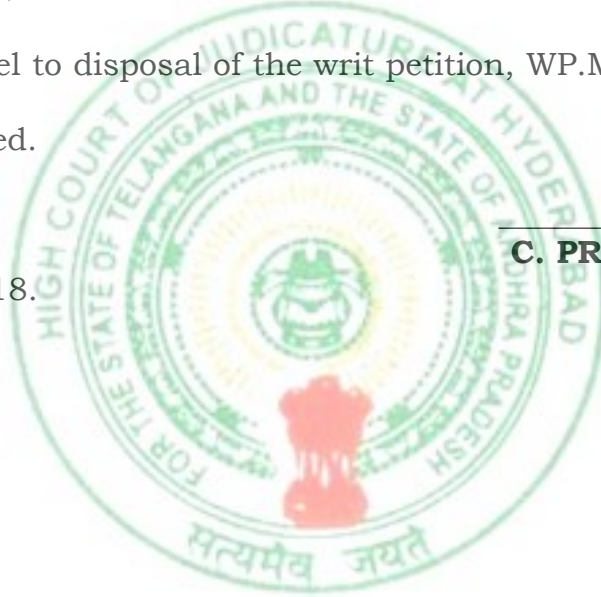
When the matter is taken up for hearing, learned Government Pleader for Revenue would submit that she has not received any instructions in the matter and orders may be passed basing on the material available on record.

Having regard to the above, the writ petition is disposed of directing the 4th respondent to deal with the representation dated 02.06.2018, submitted by the petitioner seeking to enquire into and decide O.P.No.6 of 1988, pending for adjudication on its file under the provisions of the Act and Rules made thereunder and pass appropriate orders, in accordance with law, as early as possible, preferably within a period of two to three months from the date of receipt of copy of this order after giving reasonable opportunity of hearing to the petitioner and all concerned.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:03.10.2018.
Gk



C. PRAVEEN KUMAR, J

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