

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35889 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 4th respondent-Tahsildar, in issuing the notice in ROR.B/79/2018, dated 8.8.2018, in respect of land admeasuring Ac.5.03 gts, situated at Sy.No.87 of Lakshmipally Village, Chinnambavi Mandal, Wanaparthy District, as illegal and arbitrary.

The averments made in the affidavit filed in support of the writ petition show that the land referred to above was assigned in favour of the father of the petitioners in the year 1969 and pattadar passbooks were issued in his favour. After the demise of the father of the petitioners, the petitioners have become the owners of the subject land and their names were also incorporated in the revenue records and pattadar passbooks were issued accordingly in their favour. It is stated that on 6.4.2018, the 4th respondent has issued the impugned notice to all the petitioners stating that the petitioners have violated the terms of the Laoni Patta as the subject land was not brought under cultivation and that the subject land is being resumed for public purpose. Pursuant thereto, the petitioners submitted their objections on 16.4.2018. Without passing any orders on the objections filed by the petitioners to the notice, the respondents issued another notice on 8.8.2018. Questioning the same, the present writ petition came to be filed.

When the matter is taken up for hearing, learned Government Pleader for Revenue, would submit that the respondents have not passed any orders on the objections filed by the petitioners pursuant to the notice dated 6.4.2018, issued by the 4th respondent and the respondent authority may be directed to pass orders on the earlier notice.

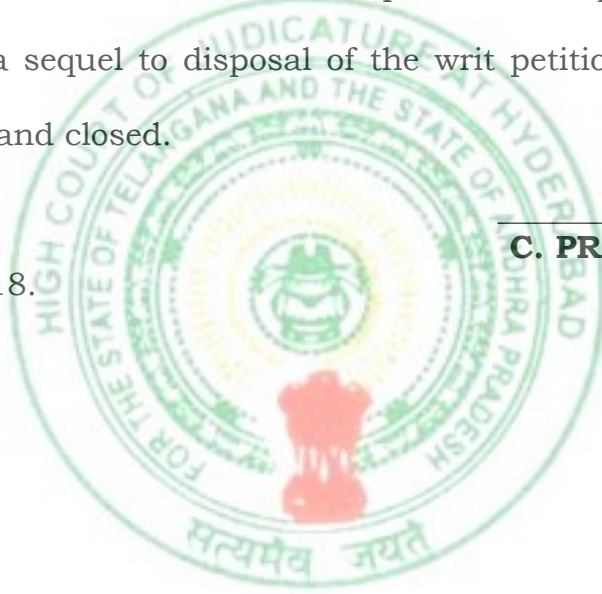
Having regard to the facts and circumstances of the case, the writ petition is allowed, setting aside the notice dated 8.8.2018, issued by the

4th respondent-Tahsildar. However, the petitioners are permitted to submit their objections afresh to the notice dated 6.4.2018, within a period of one week or ten days from today, in which event, the 4th respondent-Tahsildar, shall deal with the same and pass appropriate orders, in accordance with law, as early as possible, preferably within a period of eight to twelve weeks from the date of submission of the objections by the petitioners, after giving reasonable opportunity of hearing to the petitioners and all concerned. Till such time, *status quo*, existing as on today shall be maintained with regard to possession of the subject property.

With the above direction, 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:05.10.2018.
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C. PRAVEEN KUMAR, J



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