HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos 13315, 13405, 13412, 13415, 13326, 13389 and WP.No.13399 of 2014

COMMON ORDER:

These writ petitions are filed challenging the common order dated 17-04-2014 passed by the Joint Collector, Medak District at Sangareddy in Revision confirming the orders passed by the Tahsildar, R.C.Puram, Medak District in File No.B/1237/2002, dated 18-12-2002 and consequently seeks direction to restore the entries showing the original pattedars and their legal heirs in the revenue records basing on the basic entries in Khasra Pahani 1954-55 and Sesala Pahani 1955-58 etc.,

Since in all these writ petitions, the common impugned order is being challenged, these writ petitions are disposed of by way of common order.

Heard learned counsel for the petitioners, who submits that the order dated 18-12-2002 is issued resuming the subject lands without notice to the petitioners and without giving particulars such as to whom it is assigned in violation of Rules framed under A.P.Assigned Lands (Prohibition of Transfers) Act and when they filed against the same and also against the orders deleting the names of the petitioners from revenue records in respect of subject lands and both were clubbed together and the impugned common order dated 17-04-2014 was issued confirming the orders dated 18-12-2002 without

considering said aspects. In support of his contentions, learned counsel relied on the common order passed by this Court in WP.No.29787 of 2016 and Batch, dated 22-11-2018.

Heard learned Assistant Government Pleader for Revenue, who submits that in part of the subject lands, some land was already allotted to Kasturba School and said school was already constructed. Learned counsel for the petitioners submits that area under which already school is constructed can be excluded, since already building is constructed.

A reading of the impugned common order goes to show that no notice was issued to the petitioners and only basing on the report of Mandal Revenue Officer, dated 18-03-2014, the impugned common order is passed. Basing on the same, names of the petitioners were deleted from the revenue records after pattas were cancelled. The impugned order does not contain any particulars such as, in whose favour subject lands were assigned and without giving particulars of pattadar, which is against the law laid down by this Court in **Dasari Narayana Rao v. Deputy Collector** reported in (2010 (6) ALD 536).

In view of the same, the impugned common order is set aside. However, it is open for the competent authority to issue notice to the petitioners by giving particulars and after considering the explanation of the petitioners and after affording opportunity of hearing to them pass appropriate orders in respect of subject lands by excluding the land allotted to Kasturba School.

Accordingly, the writ petitions are allowed to the extent indicated above. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in these writ Petitions shall stand closed.

A.RAJASHEKER REDDY,J

27-12-2018

Nvl