

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14380 OF 2019

Date:15.07.2019

Between:

M. Sudhakar, S/o. Pentaiah,
Age 50 years, caste SC, Occ: Agriculture,
R/o.D.No.8-2-100, Ambedkhar Nagar,
Tandur Village and Municipality, Vikarabad
District (erstwhile Ranga Reddy District) .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat Buildings, Hyderabad and others .. Respondents

The Court made the following:



THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.14380 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. Alleging that the petitioner is in illegal possession of the land which was assigned to Smt. N. Vijay Laxmi, notice in Form-II, was issued on 11.06.2019. On 06.07.2019, petitioner filed his explanation. This Writ Petition is filed alleging that without considering the explanation, the Tahsildar, Yalal Mandal, Vikarabad District, is proceeding to cancel the assignment granted to the vendor of the petitioner and to resume possession and such action is illegal.

3. It is not in dispute that the Tahsildar is competent to initiate steps whenever it comes to his knowledge that the assignment conditions are violated and assignee sold the property and to take appropriate action. Therefore, the Court cannot interfere at this stage.

4. It appears, so far no decision is made on the explanation offered by the petitioner, which was received by the Tahsildar on 06.07.2019. Thus, it cannot be said that the Tahsildar will not consider the explanation offered by the petitioner and take a decision before evicting him. The Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 envisages detailed procedure for cancellation of assignments and eviction of the persons claimed to be in occupation of the illegal possession. Therefore, at this

stage, it is only an apprehension. However, the Tahsildar is directed to follow due procedure, consider the explanation offered by the petitioner and assign due reasons in support of the decision and communicate the said decision to the petitioner. However, the Tahsildar is directed not to disturb the possession till a decision is made pursuant to notice dated 11.06.2019, if the petitioner is in possession.

5. With the above observations and directions, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

Date:15.07.2019

KH

P. NAVEEN RAO, J

