

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 1408 OF 2023

Between:

Mende Raghulaiah, S/o.Mallaiah Aged about 71 Years, Occ. Agriculture R/o.
Gollapalle Village, Nennel Mandal, Mancherla District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue
Department, Secretariat Hyderabad
2. The Mandal Revenue Officer, Nennel Mandal, Mancherla District.
3. The District Collector, Bellampally, Mancherla District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declare the action of the Respondent No.2 in issuing the impugned notice RC.No.B/889/2022 dt. 29/11/2022 issued by the Respondent No.2 is issued under TS Assigned Lands (Prohibition of Transfer) Act, 1977 in respect of Agriculture land in Sy.No.310/1, area admeasuring Ac.5-19 Guntas situated at Gollapalli Village, Mandal Nennel, Mancherla District

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned notice vide RC.No.B/889/2022 dt. 29/11/2022 pending disposal of the above writ petition

Counsel for the Petitioner: SRI. VIJAY ASHRIT

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.1408 of 2023

ORDER:

Heard Sri Vijay Ashrit, learned counsel appearing for the petitioner and learned Assistant Government Pleader for Assignment appearing for respondents. Perused the record.

This writ petition is filed against the action of respondent No.2 in issuing the impugned notice bearing Rc.No.B/889/2022, dated 29-11-2022 stating that the petitioner herein has contravened the provisions of Section 3(2) of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977. The petitioner is also directed to submit explanation within 15 days from the date of receipt of the said notice as to why he shall not be evicted from the assigned land. The details of the contravention are also mentioned in Tabular form of the said notice. Petitioner herein submitted his explanation dated 05-12-2022 to the said notice. Without considering the

said explanation respondent No.2 is proceeding further and trying to evict the petitioner from the subject property.

Whereas learned Assistant Government Pleader for Assignment, on instructions, would submit that respondent No.2 will consider the aforesaid explanation submitted by the petitioner and pass appropriate orders, in accordance with law.

In view of the aforesaid submissions, this writ petition is disposed of, directing respondent No.2 to consider the explanation dated 05-12-2022 submitted by the petitioner and pass appropriate orders, in accordance with law by putting the petitioner on notice and affording him an opportunity of hearing. He shall pass a reasoned order. Respondent No.2 shall complete the entire exercise, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order. Till said exercise is completed, respondent

No.2 is directed not to dispossess the petitioner from the subject property. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

GP
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat State of Telangana, Hyderabad
2. The Mandal Revenue Officer, Nennel Mandal, Mancherial District.
3. The District Collector, Bellampally, Mancherial District
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to SRI. VIJAY ASHRIT, Advocate [OPUC]
6. Two CD copies

BM

SW

4/22

HIGH COURT

DATED:19/01/2023

ORDER

WP.No.1408 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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15/2/23
HVT