

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.12932 of 2013

ORDER:

The relief sought for in this Writ Petition is to declare the action of the respondents in initiating proceedings under Act 9 of 1977 pertaining to the house property in Sy.No.2005, 2009 and 2010 of Chavatapalem Village, Gudur Mandal, SPSR Nellore District purchased by the petitioner, as arbitrary and illegal. A consequential direction is sought to set aside the notice dated 16.4.2013 issued by the 3rd respondent.

While the petitioner claims to have purchased the subject property under an agreement of sale and not by a registered sale deed, Learned Government Pleader for Revenue (Assignment), on instructions, would submit that the petitioner is in possession of the land and she had purchased the subject land from one Sri S. Chandrasekhar Reddy.

Rule 3 of the A.P. Assigned Land (Prohibition of Transfer) Act, 2007 requires a notice to be issued not only to the assignee but also the transferee of the subject land.

As the petitioner is admittedly a transferee, I consider it appropriate to direct the respondents not to either dispossess the petitioner from the subject land or to demolish the structures raised thereupon except after issuing a notice to her under Rule 3, giving her an opportunity of being heard and thereafter passing an order in accordance with law. Needless to state that all such objections, as are available to her in law, can be raised by the petitioner in her reply to the show cause notice.

The Writ Petition is disposed of accordingly. The Miscellaneous Petitions pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

(RAMESH RANGANATHAN,J)

Date:30.04.2013

Note:

Issue wire at party's cost

B/o

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