

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.1641 OF 2023

Between:-

B.Arunamma, W/o.B.Nanjireddy

... Petitioner

and

The State of Andhra Pradesh, rep. by its Principal Secretary,
Revenue Department, Secretariat, Velagapudi, Guntur District
and others

... Respondents

Counsel for petitioner : Mr.M.Karibasaiah

Counsel for respondents: The G.P. for Revenue

ORDER:

Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4. Notice to the 5th respondent is deemed not necessary, as the matter is being disposed of, without going into merits of the case.

2. The writ petition is filed seeking to set aside the proceedings dated 12.1.2023 issued by the 4th respondent resuming the subject matter land as illegal, arbitrary, violative of principles of natural justice, and for a consequential direction to restore the same to the petitioner.

3. Learned counsel for the petitioner sought to advance the arguments with reference to the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. However, this Court is not inclined to entertain the same as, admittedly, the petitioner has remedy of appeal against the impugned order of resumption. However, considering the submission made by the learned counsel for the petitioner that though time is available to the petitioner for filing an appeal against the impugned proceedings, the concerned Tahsildar is resorting to coercive action, this Court deems it appropriate to dispose of the writ petition providing that the petitioner may file an appeal against the impugned order dated 12.1.2023, within a period of two weeks from today, along with stay/suspension petition if he is so advised. As the time for filing appeal is still available to the petitioner, no coercive action with reference to the subject matter property shall be resorted to by the Revenue authorities in the meanwhile, on the premise that no appeal is preferred by the petitioner.

4. With the above direction, the writ petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

NINALA JAYASURYA, J

January 25, 2023.

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