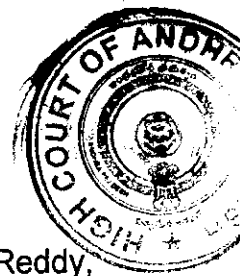


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
THURSDAY, THE THIRTY DAY OF APRIL,
TWO THOUSAND AND TWENTY**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 8338 OF 2020**



Between:

Swathi Promoters, represented by its Director Medapati Krishna Reddy Rama Reddy,
Age 54 Address Business, D.No. 49-54-1/4/1, Balayyasastri Lay-out, Visakhapatnam,
Visakhapatnam District

...Petitioner

AND

1. State of Andhra Pradesh, represented by its Principal Secretary, Revenue Department. Secretariat, Velagapudi, Guntur District.
2. The District Collector and District Magistrate, Vizianagaram.
3. The Revenue Divisional Officer, Vizianagaram, Vizianagaram District
4. The Tahsildar, Bhogapuram Mandal, Vizianagaram 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 a Writ, order or direction, especially one in the nature of Writ of Mandamus, declaring the notice vide Rc.No.66/2020/A dated 21-3-2020 issued by the 4th respondent in Form-II under Rule 3 of Andhra Pradesh assigned land (Prohibition of Transfers) Rules 2007 pertaining to the lands to an extent of Ac 4-40 cts in S.No.349-5 of Bhogapuram East Village, Bhogapuram Mandal, Vizianagaram District is without jurisdiction, non application of mind, misusing the powers vested with the office, illegal, arbitrary, contrary to the provisions of the Andhra Pradesh assigned land (Prohibition of Transfers) Act, 1977 and Andhra Pradesh assigned land (Prohibition of Transfers) Rules 2007 and Arts 14, 21 and 300-A of the Constitution of India and consequently set aside the notice vide Rc.No.66/2020/A dated 21-3-2020 issued in Form-II dated Nil in respect of the lands referred to supra.

IA NO: 1 OF 2020

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 stay all further proceedings pursuance to the notice vide Rc.No.66/2020/A dated 21-3-2020 in Form-II issued by the 4th respondent under Rule 3 of Andhra Pradesh assigned land (Prohibition of Transfers) Rules 2007 pertaining to the lands to an extent of Ac 4-40 cts in S.No.349-5 of Bhogapuram East Village, Bhogapuram Mandal, Vizianagaram District, pending disposal of WP 8338 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri S Subba Reddy, Advocate for the Petitioner and GP for Revenue for the Respondents, the Court made the following.

ORDER:

"Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue (Assignments).

The grievance of the petitioner in the Writ Petition is that without following the Rules i.e., A.P. Assigned Lands (Prohibition of Transfers) Rules, 2007, the respondents are taking steps to dispossess the petitioner from the land in question. The learned counsel for the petitioner in support of his submissions relied on the judgment of this Hon'ble Court reported in 2017 (2) ALD 529.

Following the said judgment, a learned Single Judge passed orders in W.P.No.2047 of 2020, dated 03.01.2020.

Considering the submissions made and reliance on the judgment placed by the learned counsel for the petitioner, there shall be an interim direction as prayed for, for a period of six (6) weeks.

Learned Government Pleader for respondents granted four (4) weeks time for filing counter.

List the matter on 01.06.2020.”


SD/- K. TATA RAO
ASSISTANT REGISTRAR
... REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department. Secretariat, Velagapudi, Guntur District.
2. The District Collector and District Magistrate, Vizianagaram.
3. The Revenue Divisional Officer, Vizianagaram, Vizianagaram District
4. The Tahsildar, Bhogapuram Mandal, Vizianagaram District. (Addresses 1 to 4 by RPAD)
5. One CC to Sri. S Subba Reddy, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

NJSJ

DATED:30/04/2020

NOTE: LIST THE MATTER ON 01.06.2020

ORDER

WP.No.8338 of 2020

INTERIM DIRECTION

30/04/2020