

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

TW - Revision Petition filed by Sri R.Narasaiah S/o Bhadraiah under Section 6 of A.P.Scheduled Areas Land Transfer Regulation 1959 against the order of the Agent to Government, Khammam district in CMA. No.32/90 dated 30.9.1991 Dismissed – Orders - Issued.

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G.O.Ms.No.116.

Dated 22 -11-2003.  
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Read the following

- 1.From Sri Narasaiah S/o Bhadraiah R.P dated Nil..
- 2.From the Collector, Khammam Lr.No.F1-CMA No.32/90,  
Dated 11.12.2001...

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ORDER:

In the reference first read above, Sri R.Narasaiah has filed Revision Petition through his Counsel, before the Government, against the order of the Agent to Government, Khammam in CMA No. 32/90, dated 30.9.1991 in respect of land of Acs.1.35 gts in Sy.No..66 situated in Uppusaka village, Burgampad Mandal, Khammam district.. After examination of the case records and material papers notices have been issued to the concerned to attend the hearing on 18.3.2002, but none of them appeared .Again the R.P was finally taken up for hearing on 22.4.2002. The petitioner herein has attended and presented his arguments, which are as follows:.

a)The father of the revision petitioner raised a Kunta in his patta lands situated at Uppusaka v) of Burgumpad Mandal, and cultivating his patta lands of an Extent of about Acs: 27.00 in Sy.Nos.62 to 64,66 to 70,77,79,85 and 90. It was also regularized by the then District Collector in proceedings. D.Dis.No.40 10/59 dated 10.01.1961. The pahani shows the patta lands of revision petitioner including the land Ac: 1.35 gts in Sy.No.66 for which eviction orders were passed. The orders passed by the Agency Divisional Officer Paloncha, (Respondent No.2) and Agent, Khammam (Respondent No.3) are illegal on the face of it.

b)There is no evidence when the respondent was in possession of the said Land and when he was evicted.

c)There is no allegation also in all the proceedings that the respondent had title over the land.

d)The revision petitioner is not concerned with the other Sy.No.57 of an extent of Acs.3.03 gts. He alleged that S.No.57 is in the bund but the plan shows the submerged S.Nos 68,68/2 and 90.

2. An examination of the records and orders of the lower courts it is found that the transfer of the immovable property belonging to scheduled tribe (unofficial respondent herein) was made to the non – tribe petitioner in contravention of the provisions of Sec.3(1) (a) of the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 read with Regulation, 1/1970 after commencement of the said Regulation and as such the transaction is null and void.

3. The Government see no reason to interfere with the orders of the Lower Courts. In the result the order dated 30.9.1991 in CMA No.32//1990 of the Agent to Government, Khammam in confirming the order dated 14.11.1990 in case No. 266/9 Burgampad of the Agency Divisional Officer, Palvoncha,. is upheld and the R.P filed by Sri R.Narasaiah is dismissed. The Counsel for the Revision petitioner is requested to inform his client accordingly.

4.The Collector, Khammam is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

**C.R.BISWAL,**  
**SECRETARY TO GOVERNMENT.**

To

Sri A.Guruprasada Rao,Advocate, Kothagudem,(P.O) Khammam district.(By RPAD)

Sri R.Narasaiah, S/o Bhadraiah, Pinapaka, Burgumpad Mandal,Khammam district.

The Collector, Khammam (with records)

1.Agent to Government, Khammam case file R.Dis.No.CMA32/90 containing total pages (60)

2.Agency Divisional Officer (RDO), Palvancha LTR case file No.266/90 Burgumpad.containing total pages (24).

The Special Deputy Collector,(TW) Bhadrachalam, Khammam district.

SF/SC.

Forwarded::by order::

SECTION OFFICER.