
(2000) 01 AP CK 0011
In the Andhra Pradesh High Court
Case No : WA No. 1595 of 1999

Chintalapati Ramalinga Raju

APPELLANT

Vs

District Collector, Eluru, W.G. District and another

RESPONDENT

Date of Decision : 25-01-2000

Acts Referred:

Andhra Pradesh Scheduled Areas Land Transfer Regulations, 1959 — Section 6

Citation : (2000) 4 ALD 443 : (2000) 2 ALT 155

Hon'ble Judges : Ghulam Mohammed, J;B. Subhashan Reddy, J

Bench : Division Bench

Advocate : Mr. P.R.K. Amarendra Kumar, for the Appellant; Government Pleader for Social Welfare, for the Respondent

Judgement

B. Subhashan Reddy, J.—This writ appeal arises against an order passed by the learned single Judge of this Court in Writ Petition No.20544 of 1999 dated 11-10-1999.

2. The matter arises under the provisions of the A.P. Scheduled Areas Land Transfer Regulations, 1959 (for short "The Regulations"). The Learned single Judge has dismissed the writ petition on the ground that the apprehension of the petitioner may not be real. But, it is evident from the proceedings dated 4-11-1998 in Re. No.230 of 1997 (Supt.) of the Mandal Revenue Officer, Buttaigudem mandal addressed to the Special Deputy Tahsildar, Tribal Welfare, K.R. Puram that action was sought to be taken against the petitioner on the ground that the judgment rendered by the Special Deputy Collector, Tribal Welfare hitherto dated 5-9-1981 is doubtful. But, it is a well settled law that when a judgment is rendered under the Regulations, it becomes final and there is no review of the same. It is not disputed that the order dated 5-9-1981 rejecting the application for eviction of the petitioner-appellant herein on the ground that unauthorised possession was rejected and the said order had become final. It is also not disputed by the learned Government Pleader, Social Welfare that there is no review provision in the A.P. Scheduled Areas Land

Transfer Regulations, 1959. In fact, that legal position is well settled by series of judgments of this Court.

3. In the circumstances, it is held that such of the survey numbers and equivalent R.S. numbers which are covered by the judgment dated 5-9-1981 passed by the Special Deputy Collector, Tribal Welfare, Eluru in SR Nos.32 of 1981 to 56 of 1981 shall not be subject matters for initiation of proceedings for eviction under the provisions of the Regulations.

4. The writ appeal is allowed to the extent indicated above. No costs.