

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.9034 of 2015

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Between:

Ketharaju Laxminarasamma

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Revenue (Assignment), Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioner is that her husband late Ketharaju Ramana Murthy was an ex-serviceman and considering his entitlement he was assigned an extent of Ac.0.70 guntas in Sy.No.150/5, Ac.2.58 guntas in Sy.No.150/3 and Ac.0.25 cents in Sy.No.151/1 situated in Kommadi Village, Visakhapatnam Rural Mandal in the year 1964 under ex-serviceman quota, and his name was also mutated in the revenue records and pattadar pass book was also issued in his favour. The husband of the petitioner died in the year 1980 leaving his wife and three daughters as legal heirs. During the year 2005 the petitioner and his daughters sold away the property to an extent of Ac.2.58 cents in Sy.No.150/3 and Ac.0.25 cents in Sy.No.151/1 under registered sale deed dated 21.03.2005 and mutation was also done to that effect in the revenue records. Now due to the financial constraints, the petitioner with an intention to sell the remaining extent, made an application dated 02.03.2013 to the 3rd respondent-District Collector seeking to issue No Objection Certificate to sell the land. Accordingly, the 3rd respondent called for a report from the Tahsildar, who after enquiry submitted the report on 16.11.2013. Though report was submitted, since there was no response, the petitioner earlier filed W.P.No.26401 of 2014 and the same was disposed of through order dated 06.11.2014 with a direction to the 3rd respondent to finalise the proceedings for granting no objection certificate within a maximum period of two months. In spite of the said order as there was no action, the petitioner filed C.C.No.126 of 2015. On receiving the contempt notice, the 3rd respondent served an endorsement in Rc.No.1783/2011/E1, dated 23.03.2015, which was handed over to the petitioner on 24.03.2015 rejecting her request to

sell the land. Aggrieved by the same, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (A.P.) for respondents.

Learned counsel for the petitioner submits that though the petitioner has challenged the order dated 23.03.2015 passed by the 3rd respondent, a direction may be issued to the 2nd respondent, before whom the petitioner filed a revision on 02.04.2015, directing him to dispose of the revision expeditiously.

In the light of the prayer made by the petitioner, without expressing any opinion on the merits of the matter, the writ petition is disposed of directing the 2nd respondent to consider the revision filed by the petitioner and pass necessary orders in accordance with law, as expeditiously as possible, preferably within a period of 4 weeks from today. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

15th April, 2015
Js.