

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4185 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not considering the representations of the petitioners dated 15.06.2011 and 07.09.2011, as arbitrary and illegal and for a consequential direction to the respondents to exchange the land or allot the lands of the VUDA, on market value on part with the proceedings dated 10.05.2010.

The case of the petitioners is that they are the absolute owners and possessors of land to an extent of Ac.0.31 cents in Sy.Nos.108/P, 110/P, 111/P at Madhurawada Village, Chinnagadili Mandal, Visakhapatnam District. While so, the 2nd respondent acquired the Government lands which were situated surrounding the petitioners' lands and also made a layout in Sy.Nos.108/P, 110/P and 11/P at Madhurawada. Due to the said layout the petitioners' lands were blocked without ingress and egress. Thus, the petitioners along with one Rudraraju Ramakrishna Raju, made a representation to the respondent on 24.12.2007 along with an undertaking affidavit requesting the respondent to auction their lands along with the lands of the VUDA by laying 25% of administrative charges or alternatively consider mutual exchange of equal extent of land from the open spaces of VUDA surrounding their private lands, which are also in irregular shape. But, the respondents have not taken any decision on the same, as such, the petitioners made another representation on 29.10.2008. While so, the 2nd respondent passed orders dated 10.05.2010, only considering the case of Ramakrishnaraju, who made application

along with the petitioners and in that order it is also stated that since the petitioners failed to appear before the respondents' office on the stipulated date, they could not be able to consider their cases. As such, the petitioners submitted representations on 15.09.2010, 17.03.2011, 15.06.2011 and 07.09.2011, requesting the respondents to consider their case on par with Rudraraju Ramakrishna Raju. But, the respondents did not pass any orders on the said representations. Aggrieved by the same present writ petition is filed.

Learned counsel for the petitioners states that the petitioners did not receive any notice from the respondents calling for their appearance to examine the probabilities for mutual exchange of lands. As such the petitioners could not appear before the office of the 2nd respondent.

Sri Jagadish Chandra Prasad, learned counsel for the 2nd respondent submits that as of now there is no need for further land and there is no proposal for acquiring of any land. He further states that Government has also banned the process of exchange of lands.

Though the petitioners submitted common representation dated 29.10.2008 along with Rudraraju Ramakrishnaraju, the respondents only considered the case of Ramakrishnaraju on the ground that the petitioners failed to attend the respondents' office on the stipulated date. But, since the learned counsel for the petitioners states that the petitioners did not receive any communication regarding date of appearance, it is for the respondent authorities to take a decision on the subsequent representations submitted by the petitioners.

In view of the same, the respondents are directed to consider the representations of the petitioners as and when the need arises and pass orders as per law, within a period of three months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

10.03.2015
tk.