

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 26617 of 2011

ORDER:

Heard the learned counsel for the petitioner and learned Government Pleader for the respondents. With the consent of both the parties, the Writ Petition is disposed of at the stage of admission.

The present Writ Petition is filed seeking issuance of writ of mandamus declaring the action of the respondents 1 and 2 in not issuing DKT patta to the petitioner inspite of approval of the assignment committee for the land in Sy.No.2580-2 to an extent of Ac.2.05 cents situated in Tsundupalli village and Mandal, Kadapa District as illegal, arbitrary and without any authority and consequently direct the respondents to issue DKT patta to the petitioner for the above mentioned land.

The contents of the affidavit filed in support of the Writ Petition are as follows :

The petitioner is a house wife and since herself and her husband do not possess any agricultural land, she applied for assignment of land in Sy.No.2580-2 for the purpose of agriculture. It is stated that after conducting meeting, the assignment committee approved the list of the beneficiaries and she is one of the beneficiaries in the

said list. After the assignment of the land, the DKT patta was not issued to her. But after approval of the assignment of land she cleared the bushes and improved the land. While things stood thus she made representations to 1st respondent seeking issuance of patta. But when there was no reply, she sought for the particulars of total beneficiaries of assignment in Mandal. It is stated that the total number of beneficiaries were 209 and the extent approved was Ac.321.95 cts and out of them 138 beneficiaries were given DKT pattas and for the remaining 71 beneficiaries the pattas were not granted due to some disputes. It is further stated that the reason for not granting DKT patta to the petitioner was not given. She states that absolutely there is no dispute so far as the land assigned to her. It is also stated that infact she came into possession of the land and made it ready for use. It is stated that except political reasons there are not other reasons and that too after approval by the assignment committee, the 1st respondent is not entitled to withhold the issuance of DKT patta to the petitioner. Hence, the present Writ Petition came to filed.

The contents of the counter, filed by the respondent, are as follows :

The name of the petitioner was tentatively included in the 5th phase assignment beneficiaries list. After

approval of the list when the revenue authorities inspected the land in S.No.2580/2 of Tsundupalli village & Mandal, they found that it was not in possession of the petitioner. The actual cultivators of the said land viz., Gadiraju Leelavathi W/o. Vengama Raju and Rebba Chinnakka W/o. Venkatappa, raised objection for assignment of the land in favour of the petitioner. Hence, the assignment proposal even though included in the 5th phase assignment list was set aside. Apart from that the record indicate that the father-in-law of the petitioner by name

Sri Bhumarapu Srinivasulu is having

Ac.5.93 cents in S.No.305, 306, 390/1, 390/2, 873/2, 2624, 2625, 2626 vide Khata No.1701 in Tsundupalli village and Mandal. The mother-in-law of the petitioner by name Bhumarapu Subhadramma W/o. Srinivasulu of Burraladinnepalli H/o. Tsundupalli village was assigned land to an extent of Ac.2.00 in S.No.2580/1 of DKT: 18/1417 dated 08.11.2007. It is said that Bhumarapu Srinivasulu has only one son by name Bhumarapu Ashok who is the husband of the petitioner and they are cultivating the said land.

Since the respondent objected that the father-in-law and mother-in-law of the petitioner are having assigned agricultural lands and as the husband of the petitioner is the only son of her in-laws which is not opposed, it cannot be said that the Writ Petitioner is a

landless poor lady and entitled for assignment of land.

For the reasons stated above, I see no reason to allow the Writ Petition.

Accordingly, the Writ Petition is dismissed. No order as to costs. Miscellaneous petitions pending, if any, in this Writ Petition, shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

Date: 12.08.2015

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