

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.35640 of 2012

Date: 06-10-2015

Between:

Mindi Nagaraju

.... Petitioner

AND

The Principal Secretary, Government of
Andhra Pradesh, Revenue Department,
Secretariat, Hyderabad and 4 others

.... Respondents

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.35640 of 2012

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With the consent of both the parties, the writ petition is heard at the stage of admission itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in not considering the representation of the petitioner dated 25-09-2012 and in interfering with the peaceful possession and enjoyment of the land of the petitioner's open plot 681 square yards in Survey No.24/3D2, situated at Chimalapally village, Pendurthi Mandal, Visakhapatnam District without initiating any proceedings as required

under the law, as illegal, arbitrary and violative of principles of natural justice.

The grievance of the petitioner is that he is the owner of the house site open plot admeasuring 681 square yards in Survey No.24/3D2, Chimalapally village, Pendurthi Mandal, Visakhapatnam having purchased the same under a registered Sale deed dated 6001/2007, dated 14-08-2007 from one Puvvada Sree Devi and since then the petitioner is in continuous possession of the said land. It is stated that the respondents entered into the petitioner's land, took measurements, started levelling the land and tried to undertake some developmental activities without giving any notice to the petitioner and without following the due process of law. Then the petitioner along with others submitted a representation on 25-09-2012 to the respondents 2 to 5 with all the details including their title over the land etc. But, the respondents neither considered the said representation nor passed any orders thereon. Aggrieved by the said inaction, the present writ petition came to be filed.

Learned counsel for the petitioner submits that the petitioner is in possession and enjoyment of the land in question and the respondent authorities are trying to dispossess him without any notice and without following the due process of law. He further submits that though the petitioner made a representation on 25-09-2012 to the respondents, the respondents neither considered the same nor passed any orders.

Learned Government Pleader for Revenue states that a suitable direction may be given to the respondents to consider and dispose of the representation dated 25-09-2012 made by the petitioner, if the said representation is still pending.

Having regard to the rival submissions made by the both parties and without going into the merits of the case, the writ petition is disposed of directing the respondents to consider and dispose of the representation dated 25-09-2012 said to have been made by the petitioner, in accordance with law, if the said representation is still pending, within a period of 12 weeks from the date of receipt of a copy of the order. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

Date: 06-10-2015

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