

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 11307 of 2011

ORDER:-

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

The averments made in the affidavit filed in support of the writ petition are that on 10.04.2001 the petitioner, who is an ex-serviceman, applied for assignment of land under a scheme. It is stated that basing on the directions of the 2nd respondent, the 3rd respondent made an enquiry and reported that land admeasuring Acs.2.26 guntas situated in Survey No.36 of Gorenkalapally Village, Nakrekal Mandal, can be assigned to the petitioner, vide his letter dated 08.02.2002. The petitioner is said to have given consent accepting the said land. Thereafter, the 2nd respondent vide his letter dated 26.04.2002 requested the 3rd respondent to initiate action for assignment of the land to the petitioner duly following the assignment rules. Since then, the petitioner has been requesting the 3rd respondent to assign the land. The petitioner is alleged to have submitted a representation dated 05.07.2006 to the 2nd respondent seeking assignment of the land, duly marking a copy thereof to the 3rd respondent, but no action has been taken. Even in the year 2010, the petitioner is alleged to have submitted a representation to the Chief Minister, duly marking a copy thereof

to the 2nd respondent, but no action has been initiated. Aggrieved by which, the present writ petition is filed.

The learned Government Pleader for Revenue appearing for the respondents, on instructions, disputes the representation alleged to have been made by the petitioner on 05.07.2006. He submits that the villagers of Gorenkalapally Village made a representation to the Tahsildar stating that the land admeasuring Acs.4.04 guntas situated in Survey No.36 of Gorenkalapally Village is being used as graveyard for the last 25 years and, hence, the same cannot be assigned to the petitioner, and that the Grampanchayat also passed a resolution allotting the said land for the graveyard. In view of the same, he submits that no land is available in the village for assigning the same to the petitioner.

But, the averments in the writ petition would show that the petitioner made a representation to the 2nd respondent on 05.07.2006 seeking assignment of land, duly marking a copy thereof to the 3rd respondent. It is also stated that on 17.11.2010 the petitioner made a representation to the Chief Minister duly marking a copy thereof to the 2nd respondent.

Since the grievance of the petitioner is only with regard to the inaction on the part of the respondents 2 and 3 in considering his representation, the present Writ Petition is disposed of, by directing the 3rd respondent to dispose of the representation dated 05.07.2006, if it is made and still pending consideration, in accordance with law, within a period of four (4)

weeks from the date of receipt of a copy of this order. The petitioner is also at liberty to make a fresh representation, if necessary, before the concerned, in which event, the same shall be disposed of, in accordance with law, within the time stipulated above. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

C. PRAVEEN KUMAR, J

6th July, 2015

cbs

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