

HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 38410 of 2015

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ORDER:

Petitioner No.1 is a widow of late Doraswamy Naidu, who is an Ex-serviceman, and in that quota, he was granted a house site of 3 cents under proceedings No.V.H.S/118/1409 dated 06.04.2000. The said house site in Survey No.216/3 of Kurakalva Revenue Village, Renigunta Mandal, Chittoor District, is said to be in possession of the 1st petitioner after constructing a small house. Since the ten years period has long expired, now the 1st petitioner seeks to settle the said house property by executing a Gift Settlement Deed in favour of her son, 2nd petitioner herein. On the allegation that the 3rd respondent refused to receive the said document for registration, this writ petition is filed.

2. Heard learned Government Pleader for Revenue, who points out that as per G.O.No.307 dated 06.06.2013, permission of the District Collector is essential in cases of this nature.

3. It is true, in all such cases where assignment is made in favour of political sufferers and Ex-servicemen, proposal of alienation is required to be approved by the competent Authority which includes the District Collector. Hence, it is appropriate for the petitioners to avail the said relief by approaching the District Collector, 2nd respondent herein, by making an application under the aforesaid G.O. requesting for grant of permission. If such an application is made, the 2nd respondent shall keep in mind that the 1st petitioner is 89 years old and her request for grant of permission deserves to be

considered on priority basis, and appropriate orders be passed, as early as possible. In the absence of any no objection certificate, the direction as sought for by the petitioners against the 3rd respondent cannot, however, be entertained. However, the petitioners are granted liberty to make an appropriate application before the 2nd respondent, as mentioned above.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand dismissed.

VILAS V. AFZULPURKAR, J

26th November, 2015

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