

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.18632 OF 2012

DATED:3-9-2015

Between:

N. Narayana Raju
and others

... Petitioners

And

The Government of Andhra Pradesh
Rep. by its Principal Secretary to Government
Irrigation & CAD (PW L.A.I) Department
Secretariat
Hyderabad
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Mavidi Rama Rao

COUNSEL FOR RESPONDENT NOS.1 to 3 : A.G.P. for Irrigation
and

Command Area Development (AP)

COUNSEL FOR RRESPONDENT NOS.4 and 5: A.G.P. for Revenue
(AP)

COUNSEL FOR RESPONDENT NO.6 : A.G.P. for Home (AP)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to set aside Letter No.E.E./G.H./76/Rev. dt.31.12.2011, of respondent No.2 whereby he has conveyed no objection for grant of Eksal pattas to poor scheduled caste families in respect of Ac.30.00 of land which was given on lease to the petitioners by respondent No.1.

It is unnecessary to refer to detailed facts of the case for the reason that the present incumbent of respondent No.2 has filed a counter affidavit wherein he has admitted that his predecessor in office has issued the impugned letter conveying his no objection to respondent No.5 overlooking the judgment dt.15.9.2011 of this Court in W.P. No.25879 of 2011. He has further stated that in view of the said judgment, his predecessor was not correct in granting no objection and that as on today the lease granted to the petitioners is not cancelled.

In the light of the above unequivocal and fair admission of respondent No.2 that the impugned letter addressed by his predecessor is contrary to the judgment of this Court in W.P. No.25879 of 2011, the same is set aside and the writ petition is accordingly allowed.

As a sequel to disposal of the writ petition, W.P.M.P. No.23882 of 2012 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

3-9-2015

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