

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 25847 OF 2011

ORDER:

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Heard learned counsel for the petitioners, learned Government Pleader for Revenue (Andhra Pradesh).

The present writ petition came to be filed seeking to declare the action of the respondents in trying to dispossess and demolish the houses/huts of the members of the first petitioner association in Survey No.381-1 admeasuring Acs.5.00 guntas situated at Modha Grampanchayath, Parigi Mandal, Anantapur District, without any notice, as illegal and arbitrary.

The first petitioner is a registered association, rep. by its President, formed for the welfare of poor and shelter-less people of Anantapur District and has been working since last 12 years. The members of the association submitted applications to the respondents for grant of house sites, about a decade back, and the third respondent has already identified the members of the petitioner as beneficiaries to provide house sites under Indiramma Housing Scheme. It is stated that expecting house site pattas from the respondents, the members of the association raised huts in an extent of Acs.5.00 guntas in Survey No.381-1 situated at Modha Grampanchayath, Parigi Mandal, Anantapur District. The failure of the respondents to issue house site pattas lead to filing of the present writ petition.

Learned counsel for the petitioners submits that the representation made by the petitioners on 29.08.2011 seeking house site pattas is still pending consideration and that the same

may be directed to be disposed of at the earliest. According to him, the very same petitioner, with an identical issue, has filed W.P.No.3777 of 2011 before this Court, which was disposed of with the following order:

“...the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner-society for the allotment of house site pattas in accordance with law, within a period of three months from the date of receipt of certified copy of this order. In the meantime, the members of the petitioner-Society shall not be dispossessed. There shall be no order as to costs.

Learned Government Pleader submits that the averments made in the writ petition are baseless and that the land admeasuring Acs.05.00 guntas is not in existence in the said Survey number.

Without going into merits of the case and having regard to the circumstances stated above, the writ petition is disposed of with a direction to the first respondent to consider the representation made by the petitioner-association for allotment of house site pattas, in accordance with law, within a period of three months from the date of receipt of a copy of this order. In the meantime, if the petitioners are in possession, no coercive steps shall be taken against them. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall also stand closed.

JUSTICE C. PRAVEEN KUMAR

31.08.2015
vhb