

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.22739 of 2012

Date: 21-09-2015

Between:

Harijana Yerri Nagappa

.... Petitioner

AND

The District Collector and Magistrate,
Ananthapur, Ananthapur District and 3 others

.... Respondents

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.22739 of 2012

ORDER:

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The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in conducting enquiry and restoring the land in S.No.116-2K admeasuring Ac.3.00 cents of Bhadrampally village, Bukkarayasamudram Mandal, Ananthapur District to the legal heir of the original assignee as per Section 4 of the Act 9 of 1977 as illegal, arbitrary and violative of Articles 14, 19 21 and 30-A of the Constitution of India.

2. The grievance of the petitioner is that the Government of Andhra Pradesh conducted Bhumi Mela i.e. distribution of Government land to the landless poor people on the eve of Jathipitha Mahatma Gandhi Jayanthi on 02-10-1969 as part of Government policy. The father of the petitioner was one among the beneficiaries and he was given a piece of land in Survey No.116-2K admeasuring Ac.3.00 cents vide Patta No.D.R.Dis.No. 175/79,

dated 23-07-1969 in Bhadrampalli village, Hamlet of Govindapalli, Bukkarayasamudram Mandal, Ananthapur District. It is stated that after coming to know that the Government is restoring the assigned lands to the original assignee or his legal heirs of the land, the petitioner made a representation to the District Collector, Ananthapur in Prajavani and the petitioner also addressed a letter to the Tahsildar, Bukkarayasamudram on 16-05-2012 reminding him about the settlement of the issue. But the respondents neither considered the representation made nor took any action so far. Challenging the said inaction, the present writ petition came to be filed.

3. A perusal of material papers show that except the representation dated 09-04-2012 said to have been given in Prajavani, no other document has been filed in support of his case. It is to be noted that the petitioner made a representation on 16-05-2005 to the 3rd respondent-Tahsildar, Bukkarayasamudram, Ananthapur District, requesting him to enquire into the matter. However, learned Government Pleader for Revenue states that the averments in the writ affidavit are vague, as such, no relief as sought for can be granted.

4. Without going into the merits of the case and having regard to the submission made by the learned Government Pleader, the writ petition is disposed of directing the 3rd respondent-Tahsildar, Bukkarayasamudram, Ananthapur District to consider the representation of the petitioner dated 16-05-2005 and pass appropriate orders in accordance with law, if the same is made and still pending. 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: 21-09-2015

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