

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 26631 of 2012

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ORDER:

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Heard learned counsel for the petitioner, learned Government Pleader for revenue appearing for respondent Nos.1 & 2 and learned Government Pleader for Home appearing for the 3rd respondent. With the consent of the parties, the writ petition is heard and disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of respondent Nos.1 to 6 in not considering the representation dated 21.12.2010 made by the petitioners seeking taking possession of surplus land admeasuring Acs.52.77 cents from the 7th respondent, declarant in C.C.No.1217/NLR/75, and assignment of the same as house sites in their favour and other eligible persons being landless poor, as illegal and arbitrary.

At the time when the matter is taken up for admission, the learned counsel for the petitioners submits that respondents 1 to 6 have already taken possession of the surplus land from the 7th respondent, and as such, pleads that his representation for assignment of the said land may be processed, at the earliest.

On the other hand, the learned Government Pleader for Revenue submits that it is a prerogative of the Government to consider the representation of the petitioners and that the same will be considered, provided the petitioners satisfy all the requisite conditions.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing respondent Nos.5 and 6 to pass orders on the representation of the petitioners dated 21.12.2010, in accordance with law, within a period of three (3) months from the date of receipt of a copy of the order.

There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

5th October, 2015

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