

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17806 of 2012

ORDER:

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As there was no representation on behalf of the petitioners on 09.09.2015 the matter was directed to be listed to today under the caption "for dismissal". In spite of matter being posted under the caption "for dismissal" there is no representation on behalf of the petitioners either in the morning or in afternoon session. Hence, heard learned Government Pleader for Revenue and dispose of the writ petition on merits.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in dispossessing the petitioners from their land/huts in Sy.No.1797/1-3 of Gurajala Village and Mandal, Guntur District, without disposing of their written representations dated 01.09.2011 and 11.11.2011, as illegal, arbitrary and violative of principles of natural justice; and consequently direct the respondents to dispose of the representations dated 01.09.2011 and 11.11.2011.

The averments in the affidavit filed in support of the writ petition would show that the petitioners claim to be landless poor and not having any house sites in Guntur District. In the year 1988 the Government assigned 42 house sites to rikshaw pullers an extent of 3 cents each in Sy.No.1797/1-3. The total extent of said survey number was Ac.5.20 cents. It is stated that about 200 houseless poor coolies occupied the land in Sy.No.1797/1-3, erected huts in the said land and submitted representations to the respondents for issuing assignment pattas in their name. But the respondents did not pass any orders on the said representations. Hence, the petitioners filed W.P.No.12159 of 2012 seeking direction to the third respondent to consider their

representations. By an order dated 25.04.2012 this Court disposed of the said writ petition directing the third respondent therein to consider the representations of the petitioners. Though the order was passed on 25.04.2012, no action was taken by the respondents. While things stood thus, the third respondent tried to evict the petitioners from the said land. Hence the writ petition.

Though the petitioners are claiming various reliefs but their main grievance is that the representation dated 11.11.2011 made to the first respondent is not considered till date and hence seeks a direction.

Without going into the merits of the case and since the request of the petitioners is only to direct the first respondent to pass orders on the representation dated 11.11.2011, the present writ petition is disposed of directing the first respondent to consider the representation dated 11.11.2011, if the same is still pending and pass orders in accordance with law within a period of twelve (12) weeks from the date of receipt a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

14.09.2015
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