

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.15818 of 2004

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ORDER:

Heard the learned counsel for petitioners and the learned counsel for respondents 4 to 7.

2. It is the case of the petitioners that an extent of Ac.12.74 cents of land in survey No.151/2 of Jillela Village of Gospad Mandal, Kurnool District belonging to Sri Chenna Keshava Swamy Temple was acquired by the Government in the year 1999 for the purpose of granting house site pattas to the poor. The list of beneficiaries was prepared containing 368 names. The names of the petitioners figured in the said list. A list of beneficiaries was pasted in the notice board of the Gram Panchayat and objections were called for by beat of tom tom. No objection was received by the authorities. At the time of allotment of house sites to the beneficiaries finalized by the authorities, the petitioners filed a writ petition in W.P. No.13779 of 2004 and the same was disposed of on 05.08.2004 directing the third respondent therein to verify the socio economic particulars of 368 persons included in the list of beneficiaries prepared in March 1999 and finalise the same duly excluding those persons who are not eligible and submit the same to respondents 1 and 2 for approval. The petitioners submit that under the guise of compliance with the said order the respondents allotted house site pattas on 04.08.2004 hastily by putting ante-date as 26.07.2004. Though the pattas were issued, possession was not handed over to the beneficiaries. In the above circumstances, the present writ petition was filed challenging the action of the respondents.

3. Counter affidavit was filed by the third respondent stating that the original list of 368 beneficiaries was prepared in March 1999 and the land was taken possession on 23.03.1999. The lay out was made for 313 plots including reserve plots for the future needs of communal purposes. Only 302 plots

remained for distribution. Out of 368 beneficiaries, 144 were found to be eligible and the rest of them were found to be ineligible. The Revenue Divisional Officer, Nandyala approved the eligible 144 beneficiaries from the original list along with other 158 beneficiaries on 26.07.2004, and the total 302 pattas were issued to the beneficiaries. The petitioners 1 and 7 are eligible for assignment of house plots and the other petitioners were ineligible as they were having pucca houses in the village. However, at the time of distribution of house site pattas, petitioners 1 and 7 have not attended the distribution center. The pattas were distributed on 04.08.2004 by the Revenue Divisional Officer. The issuance of house site pattas was delayed due to several cases. Though this Court passed an order on 05.08.2004, the review of the list of beneficiaries was taken up in July 2004 itself and the eligible persons were given pattas.

4. In view of the averments made in the counter affidavit, it is clear that the list of beneficiaries prepared in March 1999 was reviewed and only 144 beneficiaries out of 368 were found to be eligible. Another 158 landless poor persons were identified and total 302 pattas were issued to the beneficiaries on 04.08.2004. In view of the review of the list prepared in March 1999 and identification of other beneficiaries, the cause in the writ petition does not survive for consideration.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 13.03.2015

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