

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 30072 of 2011

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

With the consent of both the parties, the writ petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking issuance of a writ of mandamus declaring the inaction of the respondents in considering the representations made by the petitioners on 26.10.2009 and 11.04.2011 for issuance of D-Form pattas to the petitioners in R.S.Nos. 1031, 1301, 1029, 1032, 1030, 1038, 1042, 1329, 1345 and Sy.No.1-2 of Pedavegi Village and Mandal, West Godavari District, as illegal, arbitrary and violative of principles of natural justice.

The averments in the affidavit filed in support of the writ petition are as under:

The petitioners and their predecessors occupied the government waste dry land situated in R.S.Nos. 1031, 1301, 1029, 1032, 1030, 1038, 1042, 1328, 1345 and Sy.No.1-2 of Pedavegi Village and Mandal, West Godavari District prior to 1980 and thereafter made it fit for cultivation after removing the forest growth. It is stated that the said land was fenced. The averments also show that the names of the petitioners were entered in revenue records like 10 (1) and No.3 adangals as eligible encroachers by the revenue authorities. It is stated that the first petitioner along with others filed W.P.No.1337 of 1997 before this Court. Though this Court gave a positive direction for grant of pattas within a period of three months, till

date no patta was granted in favour of the petitioners. It is stated that though the petitioners made a representation dated 03.11.1996 to respondent Nos.1 and 2 to comply with the orders passed in W.P.No.1337 of 1997, they did not consider the same. Hence, the present writ petition.

The Government Pleader on instructions submits that the representations are not found in the record as such the same could not be considered.

Without going into the merits of the case and having regard to the circumstances stated above, the petitioners shall submit a copy of the representations made by them earlier to respondent Nos.1 and 2 and if necessary, a fresh representation, in which event the same shall be dealt with in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, by taking into consideration the earlier orders passed by this Court in W.P.No.1337 of 1997.

With the above direction, the writ petition is disposed of. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

29.07.2015
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