

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.12781 of 2011

ORDER:

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

The present Writ Petition came to be filed seeking to declare the action of the respondents in not taking any action on the petitioners' representation dated 18.11.2010, as illegal and arbitrary and consequently direct the respondents to take immediate action on the representation dated 18.11.2010.

The petitioners herein who are landless poor, belong to B.C.Community. The father of the first petitioner was assigned a small extent of land for cultivation admeasuring Acs.2.00 in Survey No.83/C situated at Ogipur Village, Tanduru Mandal around 30 years back and the father of the second petitioner was assigned land admeasuring Acs.2.00 in Survey No.83/D situated in the same village. Since then they are in possession and were cultivating the said lands. It is further stated that revenue officials issued title deeds and pattadar pass books in respect of the said lands. While things stood thus, the father of the first petitioner died in the month of March, 2010, leaving behind the mother and elder brother of the first petitioner. The father of the second petitioner died on 10.05.2010, leaving behind 6 sons including the second petitioner. In view of the above, the petitioners approached the second respondent seeking alteration of the names in the revenue records. But, surprisingly, it was informed to them that the said lands were said to have been allotted to the owners of 'penna cements', and their name was entered in the revenue records. Shocked by the action of the second respondent, the petitioners approached first respondent and made representation dated 18.11.2010 requesting him to make an enquiry and do justice in the matter. The averments in the affidavit would show that the first respondent vide his letter No.J/303/2011, dated 04.02.2011, called for a report and directed the second respondent to take necessary action as per rules and report compliance, by enclosing a copy of the petition made by the petitioners. In spite of the directions given by the first respondent, there is no response from the second respondent till date. Hence, the present writ petition is filed questioning the inaction of the respondents in taking any action, pursuant to letter dated 18.11.2010.

Though various grounds are raised in the affidavit, learned counsel for the petitioners restricts his prayer seeking a direction to the respondents to pass appropriate orders in their representation dated 18.11.2010 and also direct the second respondent to report compliance to the letter No.J/303/2011, dated 04.02.2011. Learned Government Pleader for Revenue submits that he has no objection for the same.

Having regard to the submissions made and since the prayer of the petitioners is to declare the inaction of respondents in taking action on the representation made by the petitioners, the writ petition is disposed of directing the respondents to pass appropriate orders in the representation dated 18.11.2010, if the same is still pending, in accordance with law, within a period of six (06) weeks from the date of receipt of a copy of this order. No costs.

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

JUSTICE C. PRAVEEN KUMAR

18.08.2015
vhb