

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.15119 of 2015

ORDER:

Heard.

The petitioner claims that his father purchased the land admeasuring Ac.8-30 cents in Sy.No.136/1 situated at Palasamudram Village, Gorantla Mandal, Ananthapuram District vide registered document No.1461/1951, dated 21-06-1951 and he was in possession and enjoyment of the said land during his life time. After his death, the petitioner is in continuous possession and enjoyment of the said land. However, alleging that the petitioner came to know allotment of Ac.4-58 cents in Sy.No.136/1C in favour of the 4th respondent and an extent of Ac.3-46 cents in Sy.No.136/1A in favour of the 5th respondent, the petitioner filed an appeal before the 2nd respondent and the same was heard and dismissed on 07-02-2015 inter alia on the ground that the petitioner has questioned the allotment after lapse of 19 years and the land was already classified as Government land and as such, the private sale deed relied upon by the petitioner was not accepted. The present writ petition is filed questioning the said order of the 2nd respondent, dated 07-02-2015.

It is apparent from the narration of the facts above that the petitioner's claim is not only stale but it appears to be a litigation initiated only for the purpose of claiming compensation, after keeping quiet for over two decades. The order of the 2nd respondent dismissing the appeal therefore does not deserved to be interfered with and if really the petitioner is the owner of the land, it is difficult to accept as he has not taken any action against the said allotment for over two decades. Therefore no discretion deserves to be exercised in favour of the petitioner.

Accordingly, the writ petition is dismissed. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 01-06-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.15119 of 2015

02-06-2015