

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 4129 of 2011

ORDER:-

The present writ petition is filed, under Article 226 of the Constitution of India, challenging the order dated 08.07.2008 passed by the 1st respondent wherein and whereunder the order dated 14.07.2003 passed by the 2nd respondent, in cancelling the assignment pattas granted to the husband of the petitioner, the 3rd respondent and two others, was confirmed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents 1 and 2. With the consent of both the parties, the main writ petition itself is heard finally.

The facts in issue in brief are as under:

The petitioner is the wife of one Vemulapati Venkateswarlu, S/o Ramaiah, who was alleged to have been given D-Form patta to an extent of Acs.2.00 in Survey No.296/2 of Uppalapadu Village, by the Mandal Revenue Officer, A. Sagaram. Thereafter, the 2nd respondent directed the Mandal Revenue Officer, A. Sagaram, to enquire into the large scale issuance of fake pattas in A. Sagaram Mandal and submit a report. Pursuant to the report of the Mandal Revenue Officer dated 04.11.1999, the 2nd respondent issued notices to the concerned and after giving an opportunity of hearing, cancelled the assignment pattas granted to the husband of the petitioner, the 3rd respondent and two others and directed the Mandal Revenue Officer, A. Sagaram, to resume the land admeasuring Acs.4.00 in Survey No.296/2 of Uppalapadu Village to Government and assign the same to the poorest of the poor of the village, vide proceedings in D.Dis. (E1)2381/99, dated 14.07.2003. Questioning the same, the husband

of the petitioner preferred an appeal before the 1st respondent which was dismissed on 08.07.2008 confirming the order of the 2nd respondent. The same is challenged in the present writ petition.

Though the present writ petition is filed challenging the impugned order, the grievance of the petitioner is that though she submitted a representation dated 02.02.2011 to the Mandal Revenue Officer,

A. Sagaram, seeking assignment of the land to an extent of Acs.2.00 in her favour, as she is the poorest of the poor in the village and cultivating the said extent of land, the same is still pending consideration.

The learned Government Pleader for Revenue opposed the request of the petitioner stating that the petitioner is not entitled to any assignment in her favour.

Having regard to the plea of the petitioner and since the representation of the petitioner is said to be still pending consideration, the Mandal Revenue Officer, A. Sagaram, is directed to consider the representation dated 02.02.2011 of the petitioner and pass appropriate orders, in accordance with law, at the earliest. The petitioner is at liberty to make a fresh representation, if necessary, before the Mandal Revenue Officer for assignment of the land as she claims to be the poorest of the poor in the village and is still cultivating the said extent of land, in which event, the same shall be dealt with, in accordance with law.

With the above direction, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

C. PRAVEEN KUMAR, J

29th June, 2015

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