IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 20609 of 2015

BETWEEN

Mathi Seshagiri

... PETITIONER

AND

The Sate of Andhra Pradesh, rep. by its Principal Secretary, Department of Revenue and others

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard.

2. Petitioner, who claims to be a landless poor person, made a representation to the Mandal Revenue Officer (MRO), Avanigadda, and the Revenue Divisional Officer (RDO), Machilipatnam Krishna District, to assign land to an extent of Ac.1-82 cents in R.S.No.289/2 situated in the said village. The said application is stated to be pending. Petitioner states that his case was earlier recommended in the year 2005 by the then MRO for sanction of the land and to assign it to petitioner and others for cultivation. Petitioner also

relies upon the memo issued by the Government vide Memo Nos.33451/Assn.III(1)/2014-1 dated 24.11.2014 and 33451/Assn.III(1)/2014-2 dated 12.02.2015, whereby the Government directed the District Collector to examine the matter and furnish a representation to the Chief Commissioner of Land Administration. Petitioner states that while the said proceedings are pending with the Government, steps are being taken by the respondents to assign the said land to others overlooking the claim of the petitioner. Hence, the present writ petition against the threatened action of assigning the very same land to others and for not considering the petitioner's case for assignment.

3. Instructions received by the learned Government Pleader from the Tahsildar, respondent No.5, states that the aforesaid land is village site poramboke and after the birfurcation of the erstwhile State, the Government instructed to utilize the land for its own purposes viz., for public institutions and community purposes and that the said land is, accordingly, being protected by the Government for utilization in future. It is also stated that on the petitioner's representation already endorsements were given to the petitioner on 05.01.2015. Instructions also mention other factual aspects.

4. It is apparent from the instructions, as above, that there is no proposal for assigning the subject land to any assignee. Hence, to the extent of grievance of the petitioner on the first relief sought for does not survive. So far as the relief sought for consideration of petitioner's case for assignment is concerned, the matter appears to be pending with the Government awaiting the report of the District Collector. It is, therefore, appropriate for the Government to take appropriate decision in the matter after due consideration of the aspects together with petitioner's request and take appropriate decision and communicate the same to the petitioner expeditiously.

With the above direction, writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

July 15, 2015
LMV