

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.12228 OF 2015**

**ORDER :**

This writ petition is filed declaring the action of respondents in not considering and disposing of the representation dated 06.04.2015 as illegal and arbitrary and ultra vires the provisions of the Andhra Pradesh Capital Region Development Authority Act, 2014 and consequently to direct the 2<sup>nd</sup> respondent to forthwith consider and dispose of the above representation.

It is the case of the petitioners that 1<sup>st</sup> petitioner is owner and possessor of lands admeasuring Ac. 18.80 cents covered by Sy.Nos.136-C, 46, 47, 89 & 85, 2<sup>nd</sup> petitioner is the owner and possessor of land admeasuring Ac.14.69 cents covered by Sy.Nos.184-B, 91-1/E, 46 & 160, 3<sup>rd</sup> petitioner is the owner and possessor of lands admeasuring Ac.6.43 cents covered by Sy.Nos.181-B, 47, 89 and 91-1/B, situated at Velagapudi Village, Tullur Mandal, Guntur District. So also the 4<sup>th</sup> petitioner is having lands at Velagapudi Village. In order to establish a new capital for the State of Andhra Pradesh, the first respondent has enacted The Andhra Pradesh Capital Region Development Authority Act, 2014 (for brevity 'the Act of 2014') and for the said purpose, land pooling scheme under Section 52 of the Act was envisaged which provides for voluntarily surrendering of land to the 2<sup>nd</sup> respondent so as to receive the benefit of reconstituted plots along with compensation per acre of land, depending upon whether the lands are Metta (dry) or Jareebu (irrigated/wet). The said scheme came into force with effect from 01.01.2015 whereupon petitioners have made an application in Form 9.3, to the competent authority on 09.01.2015 under Rule 9(6)(ii) of the Act, for voluntarily surrendering their lands so as to get the benefits of the scheme and same were received and acknowledgments of the same were given to the petitioners. The lands of the petitioners are being cultivated through Rayapudi Lift Irrigation Scheme Ruthyla Abhivrudhi Sangham and that they are raising three crops in a year. The petitioners are willing to give their land under the Land Pooling Scheme and they have given consent. Though the petitioners are raising three crops in a

year, in revenue records, their lands are being shown as dry lands, as such, they made representations to the 2<sup>nd</sup> respondents, but no orders are passed till now. Aggrieved by the same, present writ petition is filed.

Heard Sri K.Raghuveer Reddy, learned counsel for the petitioners as well as Sri Ramesh, learned Standing Counsel for the 2<sup>nd</sup> respondent.

Since the representations of the petitioners are pending with the 2<sup>nd</sup> respondent, there shall be a direction to the 2<sup>nd</sup> respondent to consider the representations of the petitioners and take a decision in accordance with the law, within a period of six (6) weeks from the date of receipt of a copy of this order.

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

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**A.RAJASHEKER REDDY, J**

24.04.2015

kvs



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Date: 24.04.2015

kvs

