

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 32912 of 2011

ORDER:

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Heard learned counsel for the petitioners, learned standing counsel for the 1st respondent, learned Government Pleader for Revenue (Assignment) appearing for the respondents 2 to 4 and learned counsel for the 5th respondent. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the inaction of the respondents 1 to 4 in considering the representation of the petitioners dated 14.09.2011, seeking to issue pattas in respect of the land in R.S.No.89 of Rajahmundry Town, East Godavari District, as illegal and arbitrary.

The facts in issue are as under:

The petitioners are occupants of small extents of lands in a revenue puntha in R.S.No.89 of Rajahmundry Town, East Godavari District, and are staying on the said land by raising residential houses for the last four decades. It appears that when the officials of the Rajahmundry Municipal Corporation tried to dispossess the petitioners from the lands, the petitioners approached this Court vide W.P.No.22093 of 2005, which was dismissed as withdrawn on 18.10.2005, in view of the representation made by the learned standing counsel for the Rajahmundry Municipal Corporation that though a resolution was passed by the then Rajahmundry Municipality, there is no proper decision taken by the Chief City Planner; the proposal to pay 80 feet road in Survey No.89 was never shelved, and that the Rajahmundry Municipal Corporation is proposing to develop the road and will also take steps to accommodate the petitioners at some other place in consultation with the Government.

Pursuant to the said order, the petitioners herein are said to have made a representation dated 14.09.2011 before the respondents 1 to 4 seeking to issue pattas in respect of the lands in R.S.No.89 of Rajahmundry Town. As no action has been initiated till date, the present writ petition is filed.

No counter is filed on behalf of the respondents.

Though various grounds are raised in the writ petition, the learned counsel for the petitioners submits that suffice would it be if a direction is given to the 1st respondent to dispose of the representation dated 14.09.2011 made by the petitioners at the earliest.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the 1st respondent to consider and dispose of the representation dated 14.09.2011 made by the petitioner, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of the order, if the same is still pending consideration. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

24th August, 2015
cbs

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