

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 29580 of 2012

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for revenue appearing for the respondents. 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 action of respondents in not issuing D-Form patta in favour of the petitioner in respect of dry agricultural land admeasuring Acs.2.00 in Survey Nos.439 and 439/2 situated at Golagamudi Village, H/o Anikepalli Grampanchayat, Venkatachalam Mandal, Nellore District, as illegal and arbitrary.

By an order dated 26.09.2012, this Court directed the 3rd respondent to verify the pattadar passbooks, adangals and cist receipts relied upon by the petitioner and file a counter affidavit within two weeks. It appears that no counter is filed till date.

The learned counsel for the petitioner mainly submits that the respondents are trying to dispossess the petitioner and raise constructions in the said land without following the due process of law; and though the petitioner made a representation dated 20.02.2006 to the 4th respondent seeking issuance of D-Form patta, the same is still pending consideration.

At this stage, the learned Government Pleader for

revenue submits that no coercive steps will be taken against the petitioner, without following the due process of law.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the respondents to dispose of the representation of the petitioner dated 20.02.2006 if the same is still pending consideration, in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of the order. Till such time, the respondents shall not dispossess the petitioner from the land admeasuring Acs.2.00 in Survey Nos.439 and 439/2 situated at Golagamudi Village, H/o Anikepalli Grampanchayat, Venkatachalam Mandal, Nellore District. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

22nd September, 2015
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