

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22550 of 2012

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ORDER:

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Heard learned counsel for the petitioner, learned Government Pleader for Revenue appearing for respondent Nos.1 to 4, learned Government Pleader for Forest appearing for the 5th respondent, learned counsel for the 6th respondent and learned counsel for the 7th respondent.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of respondent Nos.1 to 4 in not taking steps for cancellation of assignment patta No.1659/94 dated 01.09.1994 issued in favour of the 7th respondent in respect of land admeasuring Acs.5.00 in Survey No.399 PP situated at Yellur Village, Kollapur Mandal, Mahabubnagar District, as illegal and arbitrary, and consequently, to direct respondent Nos.1 to 4 to issue a patta in favour of the petitioner in respect of the said land by cancelling the patta issued in favour of the 7th respondent.

At the time when the matter is taken up for admission, it is brought to the notice of the Court that the assignment made in favour of the 7th respondent is already cancelled and the land was directed to be resumed in favour of the Government vide Lr.No.E1/1119/2011 dated 19.01.2015 issued by the Joint Collector, Mahabubnagar District. It is also brought to the notice of the Court that challenging the said order of cancellation, the 7th respondent filed W.P.No.2220 of 2015 before this Court and the same is pending.

In view of the above, this Court is of the opinion that the cause in the present writ petition does not survive, and accordingly, the Writ Petition is dismissed, leaving it open to the petitioner to avail the remedies available under law seeking assignment of the subject land in his favour. 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

5th October, 2015

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