

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.27667 of 2011

-

ORDER :

With the consent of both the parties, the writ petition is disposed of at the admission stage.

2. The members of the Madiga Welfare Association filed this writ petition seeking to declare the action of the 3rd respondent in demolishing the petitioners' houses in Settipalli Gram Panchayat in Sy.No.425/1 of Tirupathi Urban Mandal, Chittoor District, as illegal and arbitrary.

3. Learned counsel for the petitioner association submits that the members of the association are eking out their livelihood by doing labour work on daily wages basis. The Government took a policy decision to provide small extent of house sites to those who are living below the poverty line. It is stated that the 3rd respondent-Tahasildar, Tirupathi Urban Mandal conducted an enquiry and failed to consider the request of allotment of house sites to the petitioner association in and around the Settipalli Gram Panchayat. The contention of the learned counsel for the petitioner is that the members of the petitioner association are residing in Sy.No.425/01 of Tirupathi Urban Mandal, Chittoor District since last two years and also paying costs to the Government. He further submitted that about 95 persons claimed to be the members of the said association, submitted a

representation to the 3rd respondent on 10.05.2011 requesting him to issue house site pattas. It is stated that pending the above representation, the 3rd respondent along with staff came to the petitioner association and threatened with dire consequences if they failed to vacate the subject land, which is in their occupation. Challenging the action of the 3rd respondent in not considering the representation this writ petition is filed.

4. Though various grounds are raised in the writ petition, the counsel for the petitioner restricted his prayer seeking a direction to the 3rd respondent to consider the representation dated 10.05.2011 at the earliest.

5. Having regard to the above and, without going into the merits, the writ petition is disposed of directing the 3rd respondent-Tahasildar, Tirupathi Urban Mandal, Chittoor District to dispose of the representation dated 10.05.2011 made by the petitioner association and still pending, within six weeks from the date of receipt of a copy of this order, in accordance with law. Needless to say that if the petitioners are in possession of the subject land as on today, the respondent authorities shall not dispossess them without following due process of law. There shall be no order as to costs.

6. Miscellaneous petitions pending, if any, shall stand closed.

C. PRAVEEN KUMAR, J

13th July 2015.

mar