

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 26696 of 2011

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 the respondents in not issuing No Objection Certificate for enabling the petitioner to register the land admeasuring Ac.0.06 cents out of a total extent of Ac.0.68 cents in Plot No.96 of Survey No.45/2 situated at Damenedu Village, Tirupati Rural Mandal, Chittoor District, in favour of third parties, as illegal and arbitrary.

The case of the petitioner is that she purchased the land mentioned above from its lawful owner by name P.V. Ramachandra Rao under a registered sale deed dated 11.07.1997, and since then, she has been in possession and enjoyment of the same. It is stated that the Hon'ble Lokayukta, Hyderabad, registered a complaint *suo moto*, basing on the news item published in Andhrajyothi Telugu Daily Newspaper on 10.03.2008 wherein it was reported that the land admeasuring Acs.190.00 in various survey numbers including the land in Survey No.45/2 belonging to the Government was divided into plots and sold to third parties for about Rs.300 crores. By an order dated 11.03.2008 the Hon'ble Lokayukta, Hyderabad directed the 1st respondent to submit a report and see that no sale transaction takes place in respect of the disputed land. It is also stated that thereafter i.e., on 20.06.2008, by taking into consideration the objections of the objectors and also the reports of the Government, the Hon'ble Lokayukta vacated the earlier order dated 11.03.2008 and closed the

complaint as devoid of merit. Thereafter, the petitioner is said to have made a representation to the 1st respondent seeking a direction to the 3rd respondent to issue No Objection Certificate in respect of the land admeasuring Ac.0.06 cents out of a total extent of Ac.0.68 cents in Plot No.96 of Survey No.45/2 and also a direction to the 4th respondent to register the land in favour of third parties, but till date no action has been initiated. Hence, the present writ petition.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner restricts his prayer seeking a direction to the 1st respondent to dispose of the representation dated 27.07.2010 made by the petitioner, at the earliest.

On the other hand, the learned Government Pleader for Revenue submits that the request of the petitioner can be considered, if the representation made by her is still pending consideration.

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 27.07.2010 made by the petitioner, in accordance with law, within a period of twelve (12) 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

25th August, 2015
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