

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.33951 of 2011

ORDER:

This writ petition is filed with the following prayer:

“.....to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.2 in not issuing the detailed reports from Revenue records about the lands in Sy.Nos.279, 281, 283, 284, 285, 286, 287 and 288 about the illegalities, irregularities, collusion, conspiracy, connivance between the respondents 3 to 10 in the matter of mutations done in the year 1997 to the unofficial respondents and consequently direct the respondent No.2 and cancel the mutations and subsequent sale deeds which were mutated and registered in favour of respondents 5 to 10 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

In the counter filed by the 4th respondent, it is stated that originally subject land was declared as evacuee property and Government of India acquired the said property under Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. It is also stated that the same was allotted to one Ravindra Kumar Balwani under the provisions of the said Act. Basing on the same, mutation proceedings were issued. It is also stated that the petitioner filed W.P.No.3260 of 2011 against the Government and 17 others basing on the agreement of sale, which is mentioned in the present writ petition. The said writ petition was dismissed by Division Bench of this Court on 14-02-2011. It is also stated that the

Apex Court has already decided the subject matter of the issue confirming the order of this Court in WP.No.2882 of 2008 dated 19-02-2008 and the order of Special Court in LGC SR.No.1468 of 2007, dated 04-11-2007. It is stated that the petitioner sought for the same relief and the same was also rejected by Division Bench of this Court in WP.No.3260 of 2011. The petitioner instead of availing alternative remedies filed representations questioning the orders of MRO after third party interests have crept in. As such, the writ petition is not maintainable and sought for dismissal of the same.

Learned counsel for the 5th respondent states that the petitioner filed similar W.P.No.3228 of 2011, which was dismissed by this Court by order dated 14-11-2011 holding that there are disputed questions of fact in the present case and hence, the same cannot be adjudicated upon in the present writ petition.

In view of the facts and circumstances of the case, I do not see any merit in the writ petition and accordingly, the same is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

14-11-2016
nvl



