

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

-
WRIT PETITION No.41747 OF 2015
-

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With consent of both the counsel, the present writ petition is disposed of at the admission stage.

2. The present Writ Petition came to be filed seeking issuance of writ of *mandamus* declaring the action of the respondents in not considering the Application No.1451, dated 14.05.2008, for regularization of land admeasuring Ac.1.00 cents situated in Sy.Nos.329/15 and 329/16 of Timmapuram village, H/o. Kapuluppada village, Bhemunipatnam Mandal, Visakhapatnam District in spite of submitting representations, dated 15.11.2011 and 10.12.2015, as illegal and arbitrary and consequently, to direct the respondents to consider the above application submitted by the petitioner either under G.O.Ms.No.166, Revenue (Assignments POT) Department, dated 16.02.2008, or under any other scheme.

3. The averments in the affidavit filed in support of the writ petition show that the petitioner and his father purchased the above extent of land through a registered Sale Deed vide document No.479/1998, dated 19.03.1998 read with registered Rectification Deed vide document No.1014/1998, dated 08.05.1998. After issuance of G.O.No.166, dated 16.02.2008, providing for transfer of rights to certain specified categories of unassigned Government lands, revenue officials raised a dispute and started claiming that the above mentioned land is a

Government land. Then, the petitioner submitted an application No.1451, dated 14.05.2008, under the said G.O., seeking transfer of rights over the said land in his favour and the same is pending with the respondents. It is said that in spite of repeated representations, the respondents are not taking any action and hence the present writ petition.

4. Though various grounds are raised by the petitioner in the writ petition, he restricts his claim seeking a direction to the 2nd respondent to pass orders on the application, dated 14.05.2008, at the earliest.

5. Learned Government Pleader for Revenue did not dispute the same, but however submits that the concerned authorities may be directed to consider the application in accordance with law.

6. Without going into merits of the case and having regard to the facts and circumstances of the case, respondent No.2 is directed to consider the Application No.1451, dated 14.05.2008 made by the petitioner, if the same is still pending, as early as possible preferably within a period of three (03) months from the date of receipt of a copy of this order, in accordance with law.

6. Accordingly, the Writ Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

-

JUSTICE C. PRAVEEN KUMAR

Date:06.01.2016

Note: Furnish C.C. by 11.01.2016.

(B/O)
INL