

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 28655 of 2016

DATE: 26.08.2016

Between:

Smt. Avula Lakshmi Narasamma
and another

.. Petitioners

And

The Union of India
and three others

.. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“..to issue a writ of mandamus declaring the land acquisition Award No.10 of 2010-11 dated 09.05.2011 passed by the 3rd respondent - Competent Authority & Revenue Divisional Officer, Kavali in respect of the petitioners' land in an extent of 343 square yards in Sy.No.216/ 2B situated in Maddurupadi village, Kavali Mandal, S.P.S.Nellore District, as illegal and arbitrary and a consequential direction to the 3rd respondent to pass a fresh award.”

The learned counsel for the petitioners has submitted that the petitioners made a representation to the Mandal Revenue Officer, Kavali requesting him to treat their land as patta land and pay compensation therefor. Subsequently, the 3rd respondent – Revenue Divisional Officer, vide communication dated 14.03.2016, informed the 4th respondent – Tahsildar that the petitioners' land was acquired and no compensation was released owing to its classification as doted (..) land. The land in question was originally assigned to Ravulakollu Ragadu & Dudekula Pullu Saheb during the year 1928 (fasli, 1338) without imposing any condition thereof and the said property was devolved on them through registration transactions. Accordingly, the 3rd respondent, vide letter dated 14.03.2016, requested the 4th respondent – Tahsildar to make discrete enquiry into the contents of the representation

and submit a report to enable him to take necessary action in the matter. However, till date, no action has been taken.

The learned Government Pleader for Revenue appearing on behalf of respondent Nos.1 to 3 has submitted that the authorities will take decision on the representation made by the petitioners within the time that may be stipulated by this Court.

Keeping in view the averments of the writ affidavit and the submissions of the learned counsel for both the parties, this Court deems it appropriate to dispose of the writ petition by directing respondent Nos.3 and 4 to consider the representation said to have been made by the petitioners and pass appropriate orders thereon, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

26.08.2016

bcj