

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.20797 of 2011

ORDER:

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Heard Sri Ch.Jagannatha Rao, learned counsel for petitioners and Assistant Government Pleader for Revenue for respondents.

The petitioners pray for the following relief :-

“.... to issue a Writ, Order or Orders more particularly one in the nature of Writ of Mandamus directing the respondents to demarcate the petitioners agricultural land to the extent of each (0.15) cents in Sy.No.245/1 of Desarajupally Village allotted by the Government by holding the action of the respondents in not demarcating the petitioners agricultural land as per their respective Patta Pass Books and further considering petitioners representation dt.7-7-2011 as illegal, arbitrary, discriminatory and opposed to all principles of enquiry, justice and fair play”

Learned counsel appearing for petitioners' places reliance upon the counter affidavit of respondent No.3. The operative portion reads as follows:-

“However there is a balance area to an extent of 12.30 Acres of 34 beneficiaries those who are not occupied or never cultivated the land and having provisional patta certificates (list enclosed). The said balance area will be determined only after detailed survey work. At present the area is covered by barbed bushes, natural stream and encroachment the same will be finalized after completion of enjoyment sub-division survey work, then after the petitioners request will be considered as well as the rest of all the provisional patta certificate holders and regularized subject to conditions laid down in the Koneru Ranga Rao Recommendations No.1.3, that the total holding of the assignee should not exceed 1.00 wet OR 2.00 acres dry land including the assigned area. As such the petitioner's plea will be considered on par with above said condition.”

Having regard to the admission of issuance of pattas,
Sri Ch.Jagannatha Rao submits that the respondents can be directed
to dispose of the representation, dated 07-07-2011.

The Assistant Government Pleader admits the issuance of
pattas to petitioners, hence there ought not to be further delay in
demarcating the assigned land to which the petitioners are entitled to
and giving them actual possession.

Hence, I am satisfied that the writ petition can be disposed of by
this order.

Respondents 2 and 3 are directed to pass orders on the
representation dated 07-07-2011, if the representation remains
pending in their office as on date, within four weeks from the date of
receipt of a copy of this order. The petitioners are given liberty to
furnish a copy of this order and representation 07-07-2011 to
respondents 2 and 3 for expeditious disposal of the grievance.

Accordingly, the writ petition is disposed of. No order as to
costs.

Miscellaneous petitions, if any, pending shall stand closed.

S. V. BHATT, J

Dt: 27-07-2016
Prv

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