

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.28410 OF 2014

ORDER:

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

2. The present writ petition came to be filed with the following prayer:

“...to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring inaction of respondents to consider the representation dt.08.03.2013 of the petitioner for restoration of D Form patta for the land admeasuring Ac.2.76 cents in Sy No.159/3 of Kommadi Village, Visakhapatnam (rural) Mandal, Visakhapatnam Dist which was allotted to Petitioner's Uppada Guravaiah by Government of AP by way of D- Form Patta as landless poor for cultivation as illegal, arbitrary, unjust and unfair and violation of articles 14, 300(A) of the Constitution of India and consequently, direct the respondents to consider the representation, dt. 8.3.2013 within a period not beyond 6 weeks.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the 4th respondent to consider the representation dated 08.03.2013 made by the petitioner for restoring the D.Form Patta for the land referred to above in his favour.

4. Learned Government Pleader for Revenue would submit that question of considering the representation made by the petitioner would not arise as the land referred to above was already resumed by the Government.

5. It is to be noted that the land, which was allotted to Uppada Guravulu (Guravaiah) was resumed in the year, 2010. The same is reflected in the correspondence between the Tahsildar and the District Collector, Visakhapatnam, dated 10.08.2010. That being the position, question of considering the representation of the petitioner made in the year 2013 i.e., three (03) years after resumption of the land, would not be proper and correct. Hence, the request of the petitioner to consider his representation for restoration of D.Form patta in respect of the land mentioned above cannot be accepted. Hence, I see no merits in the writ petition.

6. Accordingly, the Writ Petition is dismissed. However, the petitioner is always at liberty to avail remedies, if any, available under law.

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:13.12.2016
INL