

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.13677 OF 2010
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ORDER:

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

2. The present Writ Petition came to be filed seeking issuance of writ of *mandamus* declaring the order, dated 08.04.2010, passed by the 3rd respondent rejecting allotment of the house sites to the petitioners in Sy.No.2173/1 and 2174/1 of Kothur Grampanchayat, Nellore Rural of Nellore District, as illegal, arbitrary and contrary to the report submitted by the 5th respondent-Revenue Inspector, dated 17.07.2009 and consequently, direct the respondents to allot house site pattas to the petitioners in above said survey numbers pursuant to the representations, dated 01.05.2008, 30.03.2009 and 17.08.2006 and the report dated 17.07.2009 submitted by the 5th respondent by setting aside the order, dated 08.04.2010 passed by the 3rd respondent.

3. Learned Government Pleader for Revenue, on instructions, submits that the petitioners are not entitled for grant of house site pattas since they are not the residents of Penubarthi village, Rapur Mandal, Nellore District.

4. At this stage, learned counsel for the petitioners submits that in view of the report of the Revenue Inspector, dated 17.07.2009, which is much prior to passing of the impugned order, dated 08.04.2010, request of the petitioners may be considered afresh. He further submits that the enquiry report refers to the

names of the petitioners and it also shows that they are residents of Penubarthi village, Rapur Mandal, Nellore District and that they are entitled for house site pattas.

5. Without going into the merits of the case and having regard to the representations made by the petitioners, the Writ Petition is disposed of directing the Mandal Revenue Officer, Nellore Rural of Nellore District, to consider the representations made by the petitioners for allotment of house site pattas, more particularly, in view of the report of the Revenue Inspector, dated 17.07.2009, and pass appropriate orders in accordance with law.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE C. PRAVEEN KUMAR

Date:06.01.2016
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