

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.36391 of 2016

ORDER:

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

2. The present Writ Petition came to be filed with the following prayer:

“to issue an appropriate writ, order or direction particularly in the nature of Writ of mandamus declaring the inaction or inertia on the part of the 2<sup>nd</sup> respondent namely the Joint Collector-cum-Settlement Officer, Chittoor, Chittoor District, Andhra Pradesh in non disposal of application in S.R.No.F5/1/11(a)/2003 as restored by the orders of the Commissioner and Director of Settlements, Andhra Pradesh, Hyderabad dated 05.08.2010 in R.P.No.2/2008(B1) and non communication of any order thereof to the Petitioner as illegal, arbitrary, unjust, improper and violative of Articles 14 and 21 of the Constitution of India and consequently direct the 2<sup>nd</sup> respondent to dispose of the above numbered case on merits as expeditiously as possible and communicate the orders thereof to the Petitioner and pending such communication, the respondent-authorities be directed not to dispossess or evict the Petitioner from the lands covered by old paimash No.76, 78 and 82 corresponding to Sy.Nos.48/1, 48/2, 48/3 and 48/4 of Keelapattu Village, Nagari Mandal, Chittoor District, in which the petitioner has been in continuous possession and enjoyment.”

3. Grievance of the petitioner is that the respondent authorities along with industries department have conducted a survey of the lands in dispute. The petitioner is suspecting that an order might have been passed. It is said that till date neither issuance of notice is ordered nor a copy of the order communicating the result of the proceedings is served.

4. Though various grounds are raised, learned counsel for the petitioner mainly submits that the 2<sup>nd</sup> respondent is not disposing of the application in S.R.No.F5/1/11(A)/2003 submitted by the petitioner on 02.10.2010 and no orders are passed till date.

5. Learned Government Pleader for Revenue submits that if the proceedings are still pending, a direction may be given to the authorities to dispose of the application, in accordance with law.

6. Without going into the merits of the case and having regard to the rival submissions made, the Writ Petition is disposed of directing the 2<sup>nd</sup> respondent to dispose of the application made by the petitioner vide S.R.No.F5/1/11(A)/2003 seeking to receive a plan in survey frame (FMB Sketch) and issue notice to the petitioner informing the date of inspection of the land by the Settlement Officer (R.2), as early as possible preferably within a period of six (06) weeks from the date of receipt of a copy of this order and also communicate a copy of the said order to the petitioner forthwith.

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: 26.10.2016  
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