

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18816 OF 2016

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ORDER:

The case of the petitioners is that they are the legal heirs of late Shaik Kutbuddin @ Nannu Saheb and Late Peerjada Kudrathullah Hussaini and as per the title deed No.3353 relating to Sy.No.195/1 of Bayyavram Village, Kasimkota Mandal, Visakhapatnam District and the said land in Sy.No.195/1, admeasuring 434.44 cents is the personal Inam and the Mandal Revenue Officer, Kasimkota has already conducted enquiry under Section 3(3) of the Andhra Pradesh (Andhra Area) Abolition of Inam Act, 1956 (*for short 'the Act'*) and by proceedings vide Rc.no.379/86, dated 18.06.1993, published the District Gazette dated 07.02.1994, holding that the said land is Inam under the Act and that it does not belong to any institution (including the 5th respondent herein, whose claim has been rejected in the said order). Subsequently, the petitioners applied for grant of ryotwari patta in respect of the said land as per representation dated 27.04.2016, and thus the respondents are obligated to consider the same in accordance with law and grant ryotwari patta to the petitioners and since the petitioners and their predecessors in title are continuing to be in possession of the subject land. But, the 2nd respondent is not conducting enquiry and granting ryotwari patta to the petitioners. As such, the petitioners filed the present writ petition.

Heard Sri Vedula Venkata Ramana, learned Senior Counsel for the petitioners, learned Assistant Government Pleader for Revenue and Sri Arifullah, learned Standing Counsel for the 5th respondent.

Since it is stated that enquiry under Section 3(3) of the Act is pending, it is for the competent authority to take further action on the representation of the petitioners. Accordingly, the writ petition is disposed of directing the competent authority to take action on the representation of the petitioners after issuing notice to all the affected parties including the 5th respondent and pass appropriate orders in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

17.06.2016
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