

HON'BLE SRI JUSTICE S.V. BHATT

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Writ Petition No.18345 of 2012

ORDER:

Heard Sri P.L.Rao, learned counsel for the petitioners and the learned Assistant Government Pleader (Assignments), for respondents.

2. The case of the petitioners is that the 2nd respondent on 19.02.2009 issued house site pattas to the petitioners bearing plot Nos.1437 and 1866 in Sy.No.2155 situated at Alluru Village, Kothapatnam Mandal, Prakasam District. The complaint of the petitioners is that the 2nd respondent being satisfied about the eligibility of the petitioners, granted house site pattas, but did not delineate and give actual possession of Plot Nos.1437 and 1866 to petitioners. The petitioners submitted a representation on 25.02.2012 to the respondents for appropriate decision in this behalf. The representation remains unattended till date. Hence, the writ petition.

3. Learned Assistant Government Pleader, on instructions, submits that the respondents are not disputing the assignment of house site plots to petitioners, but the reason for delay, according to him, is because assignment to several ineligible and non-existing persons has been made by the then Tahsildar. Therefore, the authorities are on the job of weeding out the ineligible persons, and confirm the assignments to eligible persons. The genuine assignees are given possession. He further submits that the respondents will consider the representation pending with them within the reasonable time and at that time, all the aspects in respect of the assignments in favour of the petitioners will be considered and appropriate orders will be passed.

4. From the admitted circumstances, it appears small extent of

land was assigned to petitioners on 19.02.2009. But as on date the petitioners do not know where they stand vis-à-vis assignment. In the circumstances, this court is of the view that in the name of weeding out the assignments of ineligible persons, holding back all assignments, including allotment of plots to petitioners, is irregular and defective. Therefore, this court is satisfied the writ petition can be ordered as follows:

1. The respondents are directed to consider and dispose of the representation dated 25.02.2012 within a period of six weeks from the date of receipt of a copy of this order.
2. The petitioners are given liberty to submit a copy of this order and representation, with further details to respondents within two weeks from the date of receipt of a copy of this order.
3. If the authorities find that the petitioners are entitled, the assignment should be confirmed by following the steps, namely, delineating putting the petitioners in actual possession etc.

The writ petition is, accordingly, disposed of. No order as to costs. Pending miscellaneous petitions, if any, in this writ petition shall stand dismissed.

S.V.BHATT, J

Date: 19.07.2016
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