

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 8625 OF 2011

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader.

The present Writ Petition came to be filed seeking issuance of *Mandamus* declaring the action of respondent in not disposing of the representation dated 04.03.2011 made by the petitioner, as illegal and arbitrary and consequently direct the respondent to dispose of the said representation.

The averments made in the affidavit filed in support of the Writ Petition are as under:

The petitioner Society is a wing of Cannossian Daughters of Charity, a religious society of the R.C.Mission working in medical, education and developmental fields established with a view to uplift the poor in the society. The said society has been running various homes in the Visakhapatnam District and purchased agricultural land in Survey Nos.83 and 85 under five different registered sale deeds for the purpose of establishing a school in Payakaraopeta Village. After obtaining necessary permission from the concerned authorities, the petitioner society constructed school building for girls and boys from classes I to X. It is stated that in between the lands of the said two survey numbers held by them a narrow stretch of nearly 0.74 cents in

Survey No.84 vests with the Government. It is averred that after purchase of the entire extent of land in Survey Nos.83 and 85, the land in Survey No.84 was being used by the petitioner and there is no possibility for anyone else to use the same. Having regard to the said circumstances, the petitioner made representation to the authorities on 04.03.2011 requesting them to consider alienation of the land at the prevailing market price. It is stated that though the representation was made in the month of March, 2011, till date no orders have been passed. Hence, the present Writ Petition.

Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondent to consider his representation dated 04.03.2011, at the earliest.

No counter is filed by the respondents.

Without going into merits of the case and having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the respondent to consider the representation dated 04.03.2011 made by the petitioner seeking alienation of land admeasuring Acs.0.55 cents in Survey No.84 of Payakaraopeta Village, Visakhapatnam District, as early as possible, preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

Consequently, the Miscellaneous Petitions, if any,

pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

05.02.2016

vhb