

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.25392 OF 2016

ORDER:

Pursuant to the order dated 08.03.2016, passed by this Court in W.P.No.7266 OF 2016, complaining that the respondent-authorities have not passed any orders on the representations dated 08.02.2016 and 16.02.2016, submitted by the petitioner seeking to enter his name in the revenue records for an extent of Ac.0.52 cents situated in Sy.No.55B/1, Devanakonda Village and Mandal, Kurnool District, the writ petition is filed.

A perusal of the order dated 18.05.2016, passed by the 4th respondent-Tahsildar, discloses that the 4th respondent had refused to carry out the entry changes in the revenue records on the ground that the land over which the petitioner claiming his right no longer an agricultural land as there is a Black Top (B.T) road, which has been laid on the said land.

The learned counsel for the petitioner points out that in the communication of the 4th respondent-Tahsildar dated 21.08.2015 addressed to the 3rd respondent-R.D.O, it has been admitted that in spite of laying of road in Sy.No.53/B which was the Rastha Poramboke, road has been laid in Sy.No.55/B1.

In the facts of the present case, so far as the relief that is being claimed by the petitioner seeking entry of his name in the revenue records is concerned, the refusal on the ground that the land over which the petitioner claiming his right is not an agricultural land and at present the same cannot be found fault. However, this does not deprive the right of the petitioner to claim compensation when there is no dispute that the land that is being claimed by the petitioner by way of an ownership is utilised by the State for laying the road. In that view of the matter, as the relief claimed in the present writ petition being limited only to the extent of changing of the entries in the revenue records, the writ petition is liable to be closed.

Accordingly, the writ petition is closed. However, liberty is given to the petitioner to exercise his right for claiming the compensation in accordance with the law. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:09.08.2016.

Note:

Issue CC in 3 days.

B/o.

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THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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