

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.21016 OF 2016

ORDER:

This writ petition is filed to declare the action of the 3rd respondent in not considering the petitioner's representation dated 21.06.2016 for declaring him as landless poor as illegal and arbitrary and consequently, direct the respondents to continue the petitioner in tenancy holding of the subject land without conducting auction of lease hold rights for the said land.

Heard learned counsel for the petitioner and the learned Government Pleader for the respondents.

The case of the petitioner is that his father was granted lease hold rights over the land admeasuring Ac.1.06 cents in Sy.No.69 of Oleru Village, Battiprolu Mandal, Guntur District by the 4th respondent in the year 1964 and since then his father was cultivating the said land and after his demise, the petitioner is continuing the cultivation. It is stated that the petitioner's father made repeated requests to the 3rd respondent to declare him as landless poor/small farmer and after his demise he made similar request, but the 3rd respondent did not consider the same so far. It is further stated that on 20.06.2016, the 4th respondent made tom-tom publication in the village to the effect that auction will be conducted with regard to the leasehold rights of the subject land for the forthcoming three years. Coming to know about the same, the petitioner approached the 4th respondent requesting him to withdraw the publication and permit him to continue as he is landless poor and the petitioner made representation on 21.06.2016 to the 3rd respondent to that effect.

Learned counsel for the petitioner submits that earlier the petitioner used to pay a sum of Rs.19,000/- per annum towards lease of the subject land and now he is ready to pay a sum of Rs.25,000/-

per annum as against Rs.19,000/- and therefore a direction may be given to the 4th respondent to consider the same.

Learned Government Pleader appearing for the respondents, on instructions, submits that the 4th respondent has no objection to continue the petitioner as a cultivating tenant for the forthcoming years, if the petitioner pays a sum of Rs.25,000/- per annum towards lease of the subject land.

In view of the above, the writ petition is disposed of directing the 4th respondent to continue the petitioner as a cultivating tenant for the forthcoming years, if he pays Rs.25,000/- per annum towards lease of the subject land. No order as to costs.

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

JUSTICE CHALLA KODANDA RAM

Date: 05.07.2016
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