

HON'BLE SRI JUSTICE S.V.BHATT

W.P. Nos.1836 OF 2012 AND 26286 OF 2016

COMMON ORDER:

None appears for the petitioners in W.P. No.1836 of 2012.

Heard Mr.T.Pajinikanth Reddy for petitioners in W.P. No.26286 of 2016.

One Danavath Basha son of Mangya is party- in- person and is representing petitioners 2 to 100. For convenience, the prayers in these two writ petitions are excerpted hereunder:

W.P.No.1836 of 2012:

“..to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, direct respondents herein to grant Agricultural pattas to the petitioners herein an extent of Ac.2.00 each petitioner in survey No.155, situated at Ragadapa, Tripuraram Mandal, Nalgonda District-A.P...”

W.P.No.26286 of 2016:

“..to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the inaction of the respondents in taking action against the representations 06.12.2013, 25.02.2016 and 26.02.2016 as illegal, arbitrary, unconstitutional and consequently direct the Respondent Nos.2 to 4 to consider the representations and conduct enquiry..”

The averments in W.P.No.1836 of 2012 are that the petitioners are all landless poor persons eking out livelihood by doing agriculture. According to petitioners, Survey No.155 covers an extent of Ac.181.4gts. of Government land and is available for assignment to poor and needy. The petitioners claim to be eligible persons for assignment and have made representations for grant of

assignment in Survey No.155. One of the grievances in the writ petition is that the representations remain unattended and the petitioners are suffering enormously. Hence, the writ petition.

Tahsildar, Tripuraram Mandal, Nalgonda District/3rd respondent filed counter affidavit. The case of 3rd respondent is that the petitioners are residents of different Tandas at Ragadapa Village of Tripuraram Mandal, Nalgonda District. The available land in Survey No.155 of Ragadapa Village according to counter affidavit is as follows:

1. Total Extent of Sy.No.155	Ac.128.04gts.
2. Assigned in various phases up to 2010	Ac.103.37gts.
3. Proposed for assignment in 6 th Phase	Ac.4.30gts.
4. Total Assigned	Ac.108.27gts.
5. The remaining un-assigned land	Ac.19.17gts.

Therefore, according to 3rd respondent, vast extent of land is not available in Survey No.155. On the other hand an extent of Ac.19-17gts. is Government land but covered by hillocks and is unfit for cultivation. The further case of 3rd respondent is that 45 members/assignees have sold the land already assigned to them in Survey No.155, a few enquiries and issues are pending in this behalf. On the representations, allegedly given by the petitioners, it is replied that no representation as on the date stated by the petitioners is received, for the staff of 3rd respondent were on strike from 13.09.2011 to 24.10.2011. According to 3rd respondent, a fake receipt is filed by the petitioners.

Be that as it may, in W.P. No.26286 of 2016, the petitioners complain against inaction in disposing of the representations dated 06.12.2013, 25.02.2016 and 26.02.2016.

The Assistant Government Pleader places on record the instructions dated 30.08.2016. The operative portion of the instructions reads thus:

“The representation of Writ petitioner which are said to have been submitted to 2 to 4 respondents will be examined and will be disposed as per rules in force.

It is therefore requested to apprise the facts to Hon'ble Court and see that the W.P. be disposed of.”

The statement of Tahsildar is taken on record and the Tahsildar is directed to dispose of the representations referred in W.P. No.26286 of 2016 in accordance with law within a period of three months from the date of receipt of a copy of this order.

Having perused writ prayer in W.P.No.1836 of 2012 and the reply filed by the 3rd respondent therein, this Court is of the view that the petitioners have not made out any case for grant of any relief in this writ petition. Accordingly, W.P. No.1836 of 2012 is dismissed and W.P.No.26286 of 2016 is disposed of. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT,J

Date:12.09.2016

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