

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.36773 OF 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for respondents. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in not taking action on petitioners’ representation dated 20.01.2016 as per the provisions of sections 3 and 4 of the A.P. Assigned Lands (PoT) Act, 1971 and Rule-3 of the A.P. Assigned Lands (PoT) Rules, 2007 is arbitrary and illegal and consequently direct the respondent to consider petitioners’ representation dated 20.01.2016 as per the provisions of Sections 3 and 4 of the A.P. Assigned Lands (PoT) Act, 1971 and Rule-3 of the A.P. Assigned Lands (PoT) Rules, 2007 to restore the land an extent of Ac.2-50 cents situated in Sy.No.737 /1A of Peddatumbalam Village, Adoni Mandalam, Kurnool District to the petitioners.”

3. The material placed before the Court would show that the 2nd petitioner is mother of the 1st petitioner. The 2nd petitioner was allotted the land in dispute in the year, 1987 and pattas were also granted vide G.O.No.1142, Revenue, 1811615. Though the 2nd petitioner did not sell the said land, the said property was got registered vide registered sale deed bearing document No.65 of

1993, as if it was sold by the 2nd petitioner. On coming to know, the 1st petitioner filed a representation dated 20.01.2016 before the 2nd respondent –District Collector, Kurnool, seeking resumption and restoration of the land. Pursuant thereto, the 2nd respondent addressed a letter dated 18.02.2015 to the 3rd respondent-Revenue Divisional Officer, Adoni, to take action on the said representation. In turn, the 3rd respondent directed the 4th respondent-Tahsildar, Adoni, to resume the land and restore the resumed land in favour of the 2nd petitioner. As a reminder, the 3rd respondent again addressed a letter dated 11.05.2016 to the 4th respondent for restoration of the land. But, till date no action has been taken on the said representation.

4. Though various grounds are raised, learned counsel for the petitioners restricts his prayer seeking a direction to the respondents to dispose of the representation dated 20.01.2016 at the earliest.

5. Learned Government Pleader for Revenue would submit that he has no objection and that the respondents may be directed to dispose of the representation made by the petitioner, if the same is still pending consideration, in accordance with law.

6. In view of the circumstances referred to above, the Writ Petition is disposed of directing the 4th respondent to enquire into the matter and pass appropriate orders on the representation dated 20.01.2016 made by the petitioners by taking into consideration the

earlier orders passed, as early as possible preferably within a period of four (04) weeks from the date of receipt of a copy of this order.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:31.10.2016
INL

