

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3195 OF 2017

ORDER:

This writ petition is filed seeking writ of mandamus declaring the action of the respondents 3 & 4 in not taking action to restore the possession of the property to an extent of Ac.2.00 cts in Sy.No.311 of Kandikuppa Village, Katrenikona Mandal, East Godavari District under the provisions of the A.P. Assigned Lands (Prohibition of Transaction) Act, 1977 as illegal and arbitrary and consequently to restore the possession of the property to the petitioner by evicting the 5th respondent.

It is the case of the petitioner that he was granted patta in respect of land to an extent of Ac.0.50 cents in Sy.No.311 of Kandikuppa village, Katrenikona Mandal, East Godavari District in the year 1988 vide patta No.B.612/88, dated 08.06.1988 by the 4th respondent and also granted an extent of Ac.1.50 cts in the same survey number to the mother of the petitioner by name Palepu Sattemma. That his mother died in the year 1993 and during her life time, she executed a registered Will dated 30.05.1988 bequeathing the said property in favour of the petitioner. It is stated that the pattas granted in favour of the petitioner and in her mother's name are in force and they have not been cancelled. That the mother of the petitioner, during her life time, made several representations to the respondent authorities to restore the possession and that even after her demise, petitioner made several representations to the 4th

respondent for restoration of the said property. It is stated that 5th respondent is in illegal occupation of the subject land. Though the petitioner made representations dated 31.08.2016 and 03.09.2016, no action is being taken by the 4th respondent. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for respondents 1 to 4.

Since the representations of the petitioner dated 31.08.2016 and 03.09.2016 are pending with the 4th respondent, it is for the 4th respondent to consider the said representations.

In view of the facts and circumstances, the 4th respondent is directed to consider the representations of the petitioner and take appropriate action, in accordance with law, after issuing notice to the 5th respondent, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel to the disposal of the writ petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

31-01-2017

kvs

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Date: 31.01.2017

kvs

