

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.9695 of 2010

ORDER:

The relief sought for in this writ petition is for a mandamus to declare the action of the respondents in not passing any orders on the representations of the petitioners dated 21.12.2008 and 07.05.2009 as arbitrary and illegal.

In their representations, the petitioners sought allotment of house sites under the rehabilitation scheme.

In the counter-affidavit filed by the Special Deputy Collector, Visakhapatnam, it is stated that, based on the local enquiry report, and in the absence of the supporting documents being furnished by the petitioners in proof of their residence at Devallapalem Village, an endorsement was issued to the petitioners informing them that their claim was rejected as they were not residing at Devallapalem Village; and they were not entitled to be extended R&R package.

As any grievance, which the petitioners may have regarding non-allotment of plots, can only be agitated in appropriate legal proceedings, wherein the endorsement issued to them informing them that they were not allotted house plots, as they were not residing at Devallapalem Village, can be questioned; and as it is now evident that their representations have been considered and rejected, the cause in the writ petition does not survive necessitating any further adjudication by this Court.

The Writ Petition fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

10th November, 2017
JSU

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Date: 10.11.2017

JSU