

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.11230 of 2010

ORDER:

The relief, sought for in this writ petition, is to declare the action of the Tahsildar in failing to consider the petitioners' representations dated 18.02.2010 and 05.05.2010 for assignment of Acs.3.00 each in Survey Nos.363 of North Amuluru Village, Amulur Mandal, Nellore District, and in dispossessing them from the subject land, as being arbitrary and illegal. The petitioners, all of whom claim to belong to the weaker sections of society, seek parity with 144 others in whose favour land, in the subject survey number, was assigned earlier.

In the counter-affidavit, filed on behalf of the respondents, it is admitted that 144 persons were granted assignment pattas, since they were displaced from the lands in their possession for construction of a water tank. It is further stated that a list of beneficiaries was prepared for the 5th phase and, in case the petitioners are found eligible for assignment of land as per norms, their case would be considered in due course after observing all usual formalities which is a time consuming affair.

While Sri T.C.Krishnan, learned counsel for the petitioners, would request this Court to fix a time frame within which the subject land should be assigned in favour of the petitioners, these are all matters for the Government to decide, and not for this Court to direct. Suffice it if the respondents are directed, as and when the lands in the subject survey number are assigned in favour of weaker sections, to also consider the petitioners' claim for assignment of land along with others.

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

(RAMESH RANGANATHAN, ACJ)

10th November, 2017
JSU



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Date: 10.11.2017

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