

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 10279 of 2005

ORDER:

Heard both sides.

The present writ petition came to be filed seeking issuance of writ of mandamus directing the first respondent to transfer the land admeasuring Acs.2.80 cents within 29 Kms to 29.400 Kms on the right side of G.L.B. of Kapileswarapuram Village, of the petitioner's husband (died), in the name of the petitioner by considering the representation made by the petitioner dated 19.10.2004, without being influenced by the letter of the second respondent dated 30.10.2004.

It is the case of the petitioner that the second respondent without verifying that the petitioner has been in continuous possession of the land, made a recommendation to the first respondent on 30.10.2004, to allow the third party to graze the cattle in the land of the petitioner. Consequently, the petitioner is said to have made a representation on 19.10.2005 requesting the authorities to continue the lease in her favour, as it was leased out to her husband. But the respondents failed to consider the same. Hence the present writ petition came to be filed.

At the time when the matter is taken up for hearing, learned Government Pleader for Revenue, placed before the Court

the order dated 07.08.2017, wherein the request of the petitioner seeking extension of further lease was rejected.

Learned counsel for the petitioner would submit that the said order came to be passed without following due process of law and the same is done with a malafide intention.

But, since the request of the petitioner, in the writ petition is addressed to, if aggrieved, the petitioner has to challenge the same before the appropriate authority by availing the remedy available under law.

Having regard to the above circumstances, the writ petition is disposed of directing the petitioner to avail the remedies available under law, in challenging the proceedings dated 07.08.2017. However, in view of the representation made that the petitioner is in possession of the property and is cultivating the land, *status-quo* as on today to be maintained for a period of five weeks from today. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions pending if any in this Writ Petition, shall stand closed.

C. PRAVEEN KUMAR, J

10.08.2017

Note:

Issue CC in a week.

B/ o.

vhb