

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.23715 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in not handing over the land admeasuring Ac.0-05 cents under Plot No.206, situated at Karalapadu Layout-II, Karalapadu Village, Piduguralla Mandal, Guntur District as well as not issuance of patta to such extent to the petitioner is arbitrary, unconstitutional and clear violation of Articles 14, 21 & 300-A of the Constitution of India and direct the 4th respondent to deliver the patta certificate in respect of Plot No.206, situated at Karalapadu Layout-II, Karalapadu Village, Piduguralla Mandal, Guntur District to the petitioner and consequently direct the 4th respondent not to allot land under patta No.206, extent Ac.0-05 cents in Karalapadu Lay out-II, Piduguralla Mandal, Guntur District to any other beneficiary under Resettlement and Rehabilitation package of Pulichintala project.”

2. Heard learned counsel for the petitioner and also the learned Government Pleaders for Land Acquisition and Irrigation, representing the respondents 1 to 4 and perused the prayer in the writ petition with supporting affidavit and it also shows from one of the material documents in relation to Vellampalli village house sites allotment under rehabilitation scheme within Piduguralla Mandal, Karlapadu Layout – II,

with family identification number of the petitioner as 1001, out of three members figured the petitioner at Sl.No.1 with sub-family ID 02 showing plot No.206 demarked for allotment to the petitioner in the PROFORMA-I.

3. The grievance of the petitioner from the prayer in the writ petition is that despite such demarcation for allotment, no Patta was granted to him and he believes that it is likely to be allotted to some third party.

4. At the time of hearing, the learned Government Pleader submits that if time granted a detailed counter can be filed unless there is a direction for disposal.

5. Having regard to the above, there is a process considering the petitioner's eligibility for allotment of plot No.206; the respondents shall consider plot No.206 for allotment to the petitioner, subject to his eligibility, pursuant to the above proceeding referred supra and by passing appropriate orders within four weeks from the date of receipt of the order.

6. Accordingly and with the above direction, this writ petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO, J

26.07.2017
SS