

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 29364 OF 2017

ORDER:

This Writ Petition is filed complaining inaction on the part of the respondents with respect to the representation made by the petitioners on 09.12.2016.

The case of the petitioners is that their elder brother, by name Sri Rasha Bakkaiah had sold away the land which was held to be the government land. The petitioners along with their younger brother by name Rasha Shanker had made a representation to the Tahsildar and when no action was taken thereon, the younger brother, being worldly-wise, had approached this Court by way of Writ Petition No. 13280 of 2011 seeking a direction to dispose of his representation dated 15.11.2010, wherein the 2nd respondent Special Deputy Collector was directed to dispose of the representation. Pursuant to the said direction, the 2nd respondent adjudicated the matter on 30.03.2013 and resumed the suit land in an extent of Acs.6.20 guntas in Survey No. 125 situated at Mogad-Dhagad Village, Koutala Mandal in favour of Sri Rasha Shanker. The petitioners were denied the land especially taking advantage of their illiteracy and ignorance. In those circumstances, the petitioners had approached the 2nd respondent to do justice, however, no action has been taken thereon.

Heard learned counsel for the petitioners.

Learned Government Pleader for Social Welfare (Telangana) submits that pursuant to the direction issued by this Court in Writ Petition No. 13280 of 2011, proceedings were initiated and orders were passed on 30.03.2013. He further submits that if the

petitioners are aggrieved by the said order dated 30.03.2013, they can initiate proceedings under the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Regulation No.1 of 1959) and further they can seek partition of the land from their brother.

Having considered the respective submissions, it is evident that the grievance of the petitioners is that they were cheated by their brothers, suppressing the fact that they are the other legal heirs of the original assignee, Sri Rasha Somaiah. The petitioners therefore, are at liberty to avail the remedies under Regulation 1 of 1959. The 2nd respondent, as and when such petition is made, shall consider the same in accordance with law and do justice to the petitioners.

The Writ Petition is therefore, disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

31st August 2017

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CHALLA KODANDA RAM, J