

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.10543 of 2016

ORDER:

The petitioner, an ex-service man, has filed the instant writ petition for the following relief:

“.....to issue a writ or order or direction more particularly in the nature of writ of Mandamus declaring the action of the Respondents in not considering the Representation dated 23-07-2013 for assignment of government land under category of Ex-Service Man in Survey No.4A1 and 4A2 at Kalavagunta Village of Penumuru Mandal, Chittoor District as illegal, arbitrary, unconstitutional and violation of standing orders and direct the respondents to assign the lands in Survey No.4A1 and 4A2 at Kalavagunta Village of Penumuru Mandal, Chittoor District”

2. From the prayer it is clear, the petitioner is complaining against inaction in disposing of a representation filed for grant of assignment of government land in Survey Nos.4A1 and 4A2 of Kalavagunta Village of Penumuru Mandal, Chittoor District.

3. Respondent No.4 filed counter-affidavit and on the present status of Survey Nos.4A1 and 4A2 has stated thus:

“The Government in Memo No.57929/Assign(4)(2)/98, dated 9.10.1998 has suspended the cancellation orders of the said DKT pattas passed by the Mandal Revenue Officer, Penumur and directed to submit alienation proposals on payment of Market value. As per the instructions of the

Collector, Chittoor in Roc.E1/13528/2000, dated 24.12.2000, the then Mandal Revenue Officer, Penumur has submitted the Alienation proposals on payment of Market value in Roc.A/554/98, dated 4.3.2007 in favour of the Secretary/Correspondent of Sri Durga Multi Purpose Health Workers (Female) Training Institute, Tirupati Road, Kalavagunta village of Penumur Mandal, Chittoor District and the said proposals are pending before the Government.

While the matter is pending, the present Writ Petitioner Sri G.Ganesh S/o.A.B.Chakravarthy R/o.Nallappareddypalle H/o.Paimagham village, Diguvamagam post, Thavanampalle Mandal, Chittoor District stated to be an Ex-Serviceman has filed the present Writ Petition before the Hon'ble High Court of Judicature of A.P., Hyderabad, that he has submitted his Representation on 23.7.2013 to District Collector, Chittoor for grant of Assignment for the lands in Sy.No.4A1 and Sy.No.4A2 of Kalavagunta Village of Penumur Mandal under Ex-serviceman Quota. The said lands were in the possession and enjoyment of the above said institution and also the Alienation proposals are also pending before the Government. As such it is not possible for grant of assignment in favour of the present Writ Petitioner, since the land is not from encroachment and dispute.”

4. From the above it is clear, respondent No.4 is expressing inability to consider the request for assignment of land in Survey Nos.4A1 and 4A2. Learned counsel requests the Court to permit the petitioner to make an application for assignment of land by giving sufficient details and respondent No.4 may be directed to consider

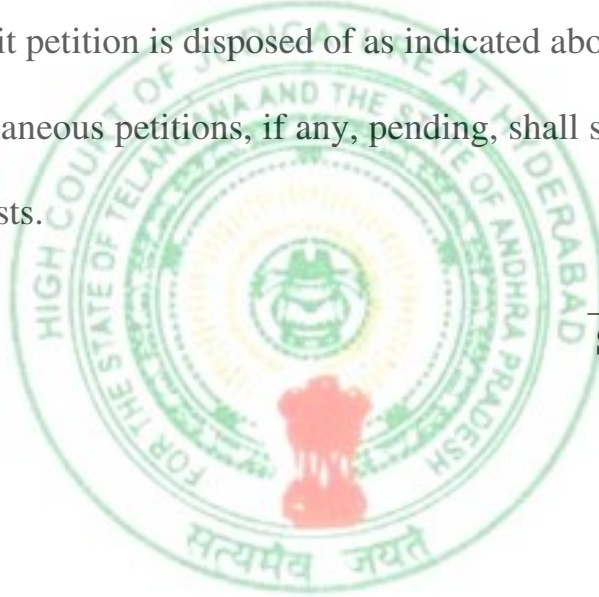
such request. Since the petitioner is an ex-serviceman the Court considers it appropriate to issue following directions while disposing of the writ petition.

The petitioner is given liberty to represent to respondent Nos.2 to 4 for assignment of land in accordance with existing Government policy by enclosing a copy of this order. Respondent Nos.3 and 4 are directed to consider the request and take decision expeditiously preferably within three months from the date of receipt of representation.

5. The writ petition is disposed of as indicated above.
6. Miscellaneous petitions, if any, pending, shall stand closed. No order as to costs.

27th June 2017

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S. V. BHATT, J