

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 14992 of 2005

ORDER:

1) Heard learned counsel for the petitioner and Government Pleader for Revenue.

2) The present writ petition came to be filed with the following relief:

“seeking issuance of writ of mandamus declaring the action of the respondents in not granting consequential ryotwari patta and making necessary entries in the village records of Vallayapalem Village, Marripudi Mandal, Prakasham District is arbitrary, (ii) declare that the petitioner is patta holder in respect of survey Nos. 104, 105/ 1, 105/ 2 and 105/ 3 admeasuring Ac.10.00, Ac.5.11, Ax.1.91 and Ac.6.39 cents respectively; and (iii) consequently direct the respondents to make necessary entries in the village records declaring that the petitioner is the owner and possessor of the lands in survey Nos. 104, 105/ 1, 105/ 2 and 105/ 3 admeasuring Ac.10.00, Ac.5.11, Ax.1.91 and Ac.6.39 cents respectively.”

3) Though various grounds are raised, learned counsel for the petitioners submits that the application made by the petitioner in the year 1991, for implementation of the orders of the Assistant Settlement Officer, Nellore in S.R.No.16/ 11(a)/ 63/ PDL, dated 26.05.1966, is not considered to till date.

4) The Government Pleader for Revenue would submit that the order itself is a fake one and the original file does not anywhere indicate passing of order dated 26.05.1966 by the Assistant Settlement Officer, Nellore. The same is disputed by the learned counsel for the petitioner.

5) Having regard to the above, the petitioner shall make a fresh application within a period of three (03) weeks from today for implementation of the order dated 26.05.1966 passed by the Assistant Settlement Officer, Nellore in S.R.No.16/ 11(a)/ 63/ PDL, in which event, the District Collector, Nellore, shall verify the record including the authenticity and genuinity of the order dated 26.05.1966, and if the order is genuine and is in force, pass orders in +accordance with law, as early as possible, preferably, within a period of eight (08) weeks from the date of filing of the application.

6) Accordingly, the writ petition is disposed of. There shall be no order as to costs.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

29.08.2017
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