

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.6568 of 2018

Order:

It is the case of the petitioner that the land of an extent of Ac.1.77 cents in RS No.51/2 and Ac.1.06 cents in RS No.50/3, totaling to an extent of Ac.2.83 cents, was gifted by the maternal grand mother to the mother of the petitioner on 13.09.1950. The said lands were originally purchased by the maternal grand mother of the petitioner under a document No.273/1923 for valid consideration. The petitioner's mother expired on 02.02.1953 and thereafter the petitioner continued to be in possession of the said lands. The petitioner submitted an application on 26.12.2017 for conducting survey and demarcation of the lands, while enclosing the photo copies of the registered sale deed of his grand mother, gift deed executed by her in favour of the mother of the petitioner and the receipt obtained from E-seva centre towards payment of the application fee, but in spite of the same, the fourth respondent passed an endorsement on 30.12.2017 rejecting the application of the petitioner on the ground that the documents are not submitted. Challenging the said endorsement, the present Writ Petition is filed.

Learned counsel for the petitioner submits that the documents were sent on 26.12.2017 by registered post containing 40 Grams weight and in spite of the same, the present endorsement was passed.

In such circumstances, the impugned endorsement of the fourth respondent is set aside and the matter is remanded to the fourth respondent for consideration of the documents already submitted by the petitioner and if the same are available in the record of the fourth respondent. In order to enable the fourth respondent to take a decision, the petitioner is given liberty to submit another set of documents in-person within a period of one week from the date of receipt of a copy of this order and on receipt of those

documents the fourth respondent is directed to take a decision on the basis of the documents and communicate the same to the petitioner.

The Writ Petition is, accordingly, allowed at the admission stage.
There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 27.02.2018
Nsr

