

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 5425 OF 2007

ORDER :

This writ petition is filed to declare the action of the respondents in not considering the representation dated 12/12/2004 of the petitioners for grant of D.K.T. Pattas in survey Nos. 346 to 352 of Vengamambapuram village, hamlet of Vempadu, Varikuntapadu Mandal, Nellore district, as arbitrary and illegal.

2. The brief facts of the case, so far as they are relevant for the disposal of the writ petition are as follows :

That the land in survey Nos. 346 to 352 of Vengamambapuram village, hamlet of Vempadu, Varikuntapadu Mandal was occupied by the petitioners for the past five years and re-claimed the same and invested huge amount; they approached various authorities for assignment of the land in their favour, as they are landless poor persons; though pattas were not granted in their favour but their names were entered in the Revenue records and the pahanies were issued to them but the third respondent has stated that the subject land is a Government land; the very adjacent land was assigned by the Mandal Revenue Officer to wealthy pattedars;

3. Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

4. When the matter came-up for hearing, the learned Government Pleader submitted written instructions in Rc.B.224/2014, dated 25/6/2018 issued by the Tahsildar, Varikuntapadu, addressed to the Government Pleader for Revenue stating that the petitioners herein

have filed W.P.No. 11274 of 2015 seeking a direction to the respondents to issue pattas in their favour for the lands in survey Nos. 350, 351 and 352 of Vempadu village and the said writ petition was disposed of with certain directions, which is extracted below :

“ Considering short relief sought for in the writ petition, the writ petition is disposed of at the admission stage directing the respondents 2 and 3 to consider the representation of the petitioners and take necessary steps to grant pattas in their favour subject to the eligibility in accordance with the schemes existing as on today. No costs, as a sequel, miscellaneous petitions if any, shall stand closed. ”

It is also stated in the written instructions, that the representations filed by the petitioners requesting for grant of pattas for the lands situated in survey Nos. 350, 351 and 352 of Vempadu village in their favour were examined and an endorsement was issued in Rc.B.224/2014, dated 20/8/2015 informing that their D.K.T. pattas for the said lands cannot be considered.

5. The learned counsel for the petitioners submits that the said endorsement, dated 20/8/2015 has not been communicated to the petitioners.

6. In view of the submission made by the learned counsel for the petitioners, the respondents are directed to communicate the said proceedings dated 20/8/2015 to the writ petitioners, to enable them to pursue their legal remedies, if any.

7. The writ petition is accordingly disposed of.

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

JUSTICE KONGARA VIJAYA LAKSHMI

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 5425 OF 2007

(DISPOSED)



Circulation No. 3 9 6
Date:10/07/2018
Court Master : I s L

24092018