

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.21280 OF 2007

ORDER:

The writ petition is filed to declare the inaction of the respondents in providing the alternative lands to the petitioners and putting them in possession of the lands as illegal and arbitrary. A consequential direction was also sought to the respondents to put the petitioners into possession of the lands in Sy.No.753, situated at Alagadapa Village, Miryalguda Mandal, Nalgonda District.

The brief facts of the case, according to the petitioners, are that the ancestors of the petitioners were assigned different extents of the lands in different villages in different survey numbers and they were issued 'D' Form patta certificates to that effect, in lieu of alternative arrangement as they lost their own lands which were submerged in "Nagarjuna Sagar Project"; even though the patta certificates were issued and the lands were assigned to the ancestors of the petitioners, they were not put in actual possession of the said assigned lands. The petitioners made several representations requesting the respondents to put them in possession of the assigned lands, but in vain. Hence, they filed the present writ petition. The petitioners filed the copies of pattas and the representation dated 5.10.2007, submitted to the District Collector, Nalgonda District along with the writ petition.

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

Learned counsel for the petitioners submits that the petitioners are poor agriculturists and they lost their lands as the said lands were submerged at the time of construction of Nagarjuna Sagar Project and in lieu thereof 'D' Form pattas have been given to the petitioners, but the possession of the lands was not given to them in spite of their repeated representations.

According to the petitioners, their lands were submerged at the time of construction of Nagarjuna Sagar Project and in lieu thereof the petitioners were given patta certificates in various survey numbers and that they were not put in possession of the subject lands mentioned in the patta certificates.

In view of the facts and circumstances of the case, the writ petition is disposed of giving liberty to the petitioners to submit a fresh representation to the 3rd respondent-District Collector ventilating their grievance along with the copies of the patta certificates given to them, within a period of two weeks from the date of receipt of a copy of this order. On filing such representation, the 3rd respondent-District Collector, is directed to consider the same and pass appropriate orders thereon, in accordance with law, within a period of three months there from, after giving reasonable opportunity of hearing to the petitioners.

With the above direction, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending if any, in the writ petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Dated:08/08/2018

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