

HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No. 1186 of 2006

ORDER:

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

The prayer of the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Court may be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents 3, 4 & 5 in issuing a D-Form assignment patta for Sy.No.513 an extent of Ac.1.72 cents of Bandameeda Kammapally village, Madanapalle Town, Chittoor District, to the 6th respondent, violating the orders of this Hon’ble Court passed in W.P.No.26581 of 2000, dated 14.03.2002 as illegal, arbitrary and unconstitutional and consequently cancel the patta issued in the name of the 6th respondent for Sy.No.513 an extent of Ac.1.72 cents of Bandameeda Kammapally village, Madanapalle town and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

The office endorsement on 16.11.2012 indicates that the order dated 04.09.2012 has not been complied with. Thereafter, the writ petition was listed on 22.12.2017, 19.01.2018 and 25.01.2018. On all these days, the matter was adjourned on the request of the learned counsel for the petitioner. In fact, on 02.02.2018, this Court has given another opportunity to the petitioner to comply with the orders dated 04.09.2012. This Court also made it clear that no further adjournment will be given. The office endorsement dated 14.02.2018 indicates that patta is not filed. The order dated 04.09.2018 remains not complied with. Admittedly, the 6th

respondent is the contesting unofficial respondent in whose favour D-form assignment patta was granted in respect of land admeasuring to an extent of Ac.1.72 cents in Sy.No.513 situated at Bandameeda Kammappally village, Madanapalle Town, Chittoor District and any order passed in the present writ petition, he is the affected party. When the notices are not taken out pursuant to the orders passed by this Court, it appears the petitioner is not interested to pursue the matter. Though the learned counsel for the petitioner sought time once more on the ground that he will get instructions from the petitioner and since the writ petition is filed to expose cause of public interest, this Court is not inclined to accept the said request.

Therefore, the writ petition is dismissed for non-prosecution. However, if the petitioner feels that public interest is involved, it is always open to him to pursue the remedies available to him under law.

Interim order, if any, passed by this Court shall stand vacated.

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

P. KESHAVA RAO,J

Date:23.02.2018
ccm

HONOURABLE SRI JUSTICE P. KESHA VA RAO



WRIT PETITION No.1186 of 2006

Date:23.02.2018

ccm