

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.15670 of 2017

ORDER:

Heard Mr.K.Ram Reddy for petitioners and the learned Assistant Government Pleader for Revenue.

The petitioners pray for the following relief :-

“..... to issue an appropriate Writ Order or Direction more particularly one in the nature of Writ of Mandamus to declare the impugned action of the respondents in not taking steps on representations made by the petitioners the directions of Lokayuktha in its order dated 31/ 10/ 2014 in Complaint No 3381 / 2014/ B1 as illegal, arbitrary and unconstitutional with an oblique motive to deny the constitutional rights of the petitioners and consequently direct the respondents to take steps (1) resume the lands in Sy.No.1538 in an extent of Acres 10-03 Cents of P.Kothakota Village of Puthalapattu Mandal under escheats (2) Evict the illegal encroachers i.e., the unofficial respondents (3) to alienate the land in favour of the petitioners duly issuing D-Forms/ Pattadar Passbooks/ Title Deeds and 1-B Extract.....”.

The 4th respondent filed counter affidavit.

Mr.Ram Reddy submits that the stand taken in the counter affidavit can be accepted and the writ petition can be closed. He wants particular reference to paragraph No.4 of the counter affidavit, which reads as follows :-

“I submit that the petitioners have no fundamental right to seek a direction from this Hon’ble Court to alienate the land in their favour by issuing D-Form pattas/ pattadar passbooks/ title deeds. The land is Government land and as such the question of seeking eviction of unofficial respondents does not arise, since they

are not in possession and enjoyment of the above land at present and now no one is cultivating the same. The applications of the petitioners will be considered along with other eligible beneficiaries and the land will be allotted according to their eligibility. The Government of Andhra Pradesh will launch a Special Crash Programme for assignment of Government waste lands to the landless poor persons by giving D-Form pattas. The Assignments will be made in accordance with the law of the land. As such, the petitioners cannot claim the land, as a matter of right. Their cases will be considered along with other beneficiaries for assignment of land, during Land Distribution Programme.”

The stand of 4th respondent is placed on record.

The writ petition is closed as no further order is necessary. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Date: 19-04-2018
Prv



S. V. BHATT, J

