

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.34191 OF 2013

ORDER:

The petitioner seeks writ of mandamus declaring the inaction of the 4th respondent in issuing D-Patta, Pattadar Pass book, Title Deeds and related Revenue documents as illegal, improper, arbitrary and consequently, direct the respondents to issue D-Patta and other related Revenue documents pertaining to Survey No.220/2 for an extent of Acres 4.57 cents situated at Ompalli Village, Bondapalli Mandal, Vizianagaram District.

2. The petitioner's case, in brief, is thus:

(a) He served in Indian Air Force for 15 years and was discharged with effect from 31.08.1992. The petitioner, as per G.O.Ms.No.743, Revenue Department, dated 30.04.1963, is entitled for allotment of Government land earmarked under Ex-Serviceman quota. Therefore, after discharge, the petitioner made a representation to the District Collector, Vizianagaram, through Zilla Sainik Welfare Officer, Vizianagaram, in terms of the aforesaid G.O. for granting D-Patta, who forwarded his representation to the District Collector for necessary action, vide Lr.No.1212/Land/2010-B, dated 20.12.2010. The District Collector, Vizianagaram, in turn vide his Lr.Dis.No.218/2011E4, dated 02.02.2011,

forwarded to the Tahsildar, Bondapalli Mandal, directing to take necessary action subject to eligibility as per Rules.

(b) The further case of petitioner is that the 4th respondent-Tahsildar, inspected the land in Survey No.220/2 in an extent of Acres 4.57 cents and other lands at Ompalli Revenue Village of Bondapalli Mandal and included the petitioner's name after obtaining permission from the Revenue Divisional Officer, Vizianagaram. The Tahsildar issued certificate as follows:

"This is to certify that Sri Dumpa Sadasiva Reddy, S/o.Venkata Narayana Reddy of Ex-Serviceman of Vizianagaram, residency has occupied and cultivating the land in Survey No.2 of Ompalli Village of Bondapalli Mandal for an extent of Ac.03-05 cents of Dry land. He is entitled to get loan facility from any banking organizations for development of the above land. And the above land will be granted D.Patta in favour of the above individual after approval of 6th phase assignment committee of Bondapalli Mandal."

(c) However, though the 6th phase committee approved the allotment of assignment in favour of the petitioner, the 4th respondent has not issued the D-Patta and other revenue records like Pattadar Pass Book, Title deeds etc.

Hence, the present writ petition.

3. Learned Government Pleader for Assignment takes notice on behalf of respondents. No counter is filed so far.

4. Heard.

5. The facts submitted by the counsel for petitioner would disclose that the representation of the petitioner which was forwarded by the District Collector, Vizianagaram, is kept pending with the 4th respondent without passing further orders. The facts would show that the District Collector has forwarded the representation of the petitioner vide his Lr.Dis.No.218/2011E4, dated 02.02.2011 and since then, the matter is held up with the 4th respondent. It is highly deplorable that the 4th respondent took about seven years to pass an order on merits. In that view of the matter, this writ petition is disposed of with a direction to the 4th respondent to pass an order on merits within four weeks from the date of receipt of a copy of this order. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

27.11.2018

*Note: issue C.C. by 29.11.2018.
B/o.SS*