

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.22837 of 2018

ORDER:

In this Writ Petition, the only grievance of the petitioners is the inaction of respondents 2 to 4 in canceling the pattas issued to respondents 5 to 11, as according to the petitioners, the pattas were illegally given to the said respondents.

I have heard the submissions of the learned counsel for the petitioners, Sri R.Ramanjaneyulu, and that of the learned Government Pleader for Revenue (AP), appearing for respondents 1 to 4.

Learned counsel for the petitioners submits that, the Tahasildar, Narsapur Mandal, West Godavari District, addressed a letter to the District Collector and District Magistrate, Eluru; that, in the said letter it was stated that, in the pattas granted to the patta-holders, namely, the unofficial respondents 5 to 11, right is reserved to take over the land allotted to them, if they fail to construct the houses as per specified conditions in the patta; and that, notices were also issued to the said seven individuals calling for their explanation for not constructing the houses as per the condition stipulated in the patta. He would also submit that, thereafter, no action has been taken to cancel the pattas, though the Revenue Department machinery is obligated to keep a vigil at the site for protection of the "Chakali Revu".

Learned Government Pleader for Revenue, on written instructions, dated 02.07.2018, a copy of which is placed on record, would submit that, explanations are already called from the seven individuals, namely, respondents 5 to 11 herein, and that, no sooner than the explanations are received, the concerned revenue official will take appropriate action, if necessary, for cancellation of pattas as per the rules in force.

Recording the submissions, the Writ Petition is disposed of directing the respondents 1 to 4 to expedite the process pursuant to the notices already issued to respondents 5 to 11 herein, and take a considered decision in the matter, after receiving explanations, if any, submitted by the said respondents with regard to the cancellation of pattas as per rules, however, after affording an opportunity of hearing to the said respondents as well as the petitioners herein. The necessary exercise in the above regard shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

M.SEETHARAMA MURTI, J

05.07.2018

Note: Issue C.C by 09.07.2018.

B/o.

vs