

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.27012 of 2005

ORDER:

This writ petition is filed for issue of a writ of mandamus, directing the respondents to demarcate the land and deliver the possession of an extent of 0.02½ cents in Survey No.667/3 of Somarajupalli village, Singaraykonda Mandal, Prakasam District forthwith, as already Pattas were granted in case of each petitioner.

Heard Sri I.Gopal Reddy, learned counsel for the petitioners and the learned Government Pleader for Assignments.

It is the case of the petitioners that all of them are landless poor and they along with 76 individuals have filed an application before the Revenue Administration for grant of house site pattas. The Revenue Administration after being satisfied had granted house site pattas to an extent of 0.02½ cents of land to each of the petitioners and another 76 individuals way back in 1994, i.e., on 20.05.1994, and the land was also handed over to the petitioners along with several other landless persons on 15.08.1994 in Survey No.713/2.

For the reasons best known to the Revenue Administration, they have cancelled the house site pattas of all the petitioners and other landless poor persons. In those set of circumstances, the petitioners herein along with other landless poor persons have filed W.P.No.19536/1997 and this Court was pleased to dispose of the said writ petition on 30.12.2003, directing the respondents therein to provide alternative sites for grant of pattas in favour of eligible landless poor persons after thorough verification. The respondents therein have

conducted a detailed enquiry and found only 9 of such landless poor persons, who are the petitioners herein. Again the petitioners were granted house site pattas way back in 2004 and 2005 in Survey No.667/3, but however, the physical possession of the land was not delivered to them. In those set of circumstances, the present writ petition is filed seeking a direction to the respondents to demarcate 0.02½ cents of land and deliver the same to each of the petitioners and permit them to construct houses therein.

The learned Government Pleader for Assignments contends that some of the persons have challenged the grant of house site pattas by filing W.P.No.23871/2004 and obtained *status quo* orders. In view of the said *status quo* orders, the respondents are not in a position to demarcate the house sites in favour of the petitioners.

It has been brought to the notice of this court by the learned counsel for the petitioners that W.P.No.23871/2004 was dismissed by this Court, vide orders dated 08.06.2009, and there is no order from this court preventing the respondents from granting house sites in favour of the petitioners.

Having considered the rival submissions made by both the parties, as rightly contended by the learned counsel for the petitioners, as order of *status quo* passed in W.P.No.23871/2004 is no more subsisting and the said writ petition was dismissed on 08.06.2009, the respondents are directed to demarcate and deliver the land to an extent of 0.02½ cents in favour of each of the petitioners by duly taking into account the fact that the pattas were already granted in favour of the petitioners way back in

2004 and 2005, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of, however, without costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI ,J

Date: 21.03.2018
Dsr

