

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.16303 of 2007

ORDER:

This writ petition is filed questioning the action of the respondents in not allotting the Government land in Sy.No.52 admeasuring to an extent of Ac.5.00, situated at Pothamshettypally village of Chegunta Mandal, Medak District under the Ex-Serviceman Scheme as arbitrary and illegal.

The contention of the petitioner is that he was aged about 77 years at the time of filing of the writ petition and that his case is pending for the last 20 years.

Counter affidavit has been filed by the Tahsildar, Chegunta Mandal, Medak District, stating as follows:

"As per G.O.Ms.No.743, Revenue Department, dated 30.4.1963, " the applications shall be made within twelve months from the date of discharge or in the case of death on active service, from the date of intimation to the family of the deceased". In this regard, the petitioner has alleged to have submitted the application for assignment of land after lapse of 20 years an after 8 years of issue of the G.O.Ms.No.743 Revenue Department, dated 30.4.1963. Accordingly, the petitioner is not eligible for assignment of land under ex-serviceman scheme as his request was made after lapse of 12 months of time period".

The learned counsel for the petitioner has not filed any reply affidavit. He does not dispute the contents of the counter affidavit also.

In view of the facts and circumstances of the case, as the petitioner is not eligible for allotment of the Government land in Sy.No.52, admeasuring to an extent of Acs.5.00, situated at Pothamshettypally village of Chegunta Mandal, the writ petition is dismissed.

Miscellaneous petitions, pending if any, shall stand closed. No order as to costs.

KONGARA VIJAYA LAKSHMI, J

Date: 11.7.2018
Slk



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