

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.26300 of 2018**

**ORDER:**

Heard learned Counsel for the petitioners, learned Government Pleader for respondents No.1 and 3, Sri D.Ramesh, learned Standing Counsel for CRDA-respondent No.2, and Sri S.Jagadeeshwar, learned Counsel for respondents No.4 and 5.

In the present Writ Petition, the petitioners herein are seeking the following reliefs:-

a) to direct the 2<sup>nd</sup> respondent to cause enquiry in respect of the claim made by the petitioners over the land to an extent of Ac.0.96 in Sy.No.98/5 and Ac.0.99 in Sy.No.103/5, i.e., Ac.1.93 cents, Uddandarayapalem, Thulluru Mandal, Guntur District, under the provisions of the Andhra Pradesh Capital Region Development Authority Act, 2014; and

b) Consequently, to direct the 2<sup>nd</sup> respondent to grant benefits under the Land Pooling Scheme formulated under the Andhra Pradesh Capital Region Development Authority Act, 2014, in favour of the petitioners in respect of the land an extent of Ac.0.96 in Sy.No.98/5 and Ac.0.99 in Sy.No.103/5 i.e., Ac.1.93 cents Uddandarayapalem, Thulluru Mandal, Guntur District, and pass .....”

It is the submission of the learned Counsel for the petitioners that though the petitioners herein got issued a legal notice, as long back as on 19.04.2018, claiming the right in the Writ Petition subject property, the competent authority is not taking any action, as per the provisions of Section 50 of the Andhra Pradesh Capital Region Development Authority Act, 2014.

On the other hand, it is submitted by the learned Counsel for respondents No.4 and 5 that the respondents No.4 and 5 have been allotted the land by the respondent-authorities. It is further brought to the notice of this Court that on 16.02.2018 vide R.C.No.91/2018-B the Tahsildar, Thulluru Mandal, Guntur District, asked the father of the petitioner and another to appear for enquiry with all the original documents, which clearly shows that action has already been initiated by the respondents.

As per the provisions of Section 55 of the Andhra Pradesh Capital Region Development Authority Act, 2014, the competent authority for land pooling is the Commissioner of APCRDA and as per Section 50 of the Act, whenever there is a disputed claim, enquiry needs to be undertaken.

Having regard to the above provisions of law, this Court deems it appropriate to dispose of the Writ Petition, directing the official respondents herein to hold enquiry in respect of the subject property and to pass appropriate orders, strictly in accordance with law, as expeditiously as possible, after giving notices to all the stakeholders. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

**A.V.Sesha Sai, J**

10<sup>th</sup> September, 2018  
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