

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO. 22022 OF 2006

ORDER:

This writ petition is filed to declare the action of the respondent authorities in not handing over the possession of the plots to the petitioners out of plot Nos. 1 to 21 in layout prepared in Sy.No.1049 situated at Jawaharnagar Village, Shameerpet Revenue Mandal, Ranga Reddy District as illegal and arbitrary.

The brief facts of the case, so far as they are relevant, for the purpose of disposal of the writ petition, are that the petitioners belong to various places of Khammam and Warangal District; they are the freedom fighters; the combined State of Andhra Pradesh offered to give several benefits, such as, pensions and house site pattas to the freedom fighters in Hyderabad and Ranga Reddy Districts; the Government has also issued G.O.Ms.No.185, dated 11.3.1997 providing house sites admeasuring to an extent of 300 sq., yards to each of the freedom fighters; initially, the petitioners were 21 in number and later they become five; they have applied for the house sites in Sy.No.976 of Kukatpally Village, Balanagar Revenue Mandal, Ranga Reddy District; it was proposed to allot the house site

pattas to 21 freedom fighters, including the petitioners herein; the District Collector, Ranga Reddy, *vide* proceedings dated 6.7.2004 directed the Revenue Divisional Officer, East Division to take necessary steps and distribute the house site pattas to each Freedom Fighter; the Government *vide* Memo dated 24.6.2005 directed the District Collector, Ranga Reddy District to examine and consider the request of the petitioners and take necessary action and hence, they prayed to consider their request and hand over the possession of the house sites, which were earmarked to them out of the plot Nos. 1 to 21 of the lay out prepared in Sy.No.1049 of Jawahar Nagar village of Shameerpet Revenue Mandal, Ranga Reddy District.

Counter affidavit has been filed by the Mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy District stating *inter alia* that the District Collector, Ranga Reddy District *vide* proceedings dated 6.7.2004 granted permission to issue the house site pattas to 21 freedom fighters @ Rs.300/- per sq. yard in Sy.No.1049, Jawaharnagar village in lieu of Sy.No.976 of Kukatpally village and the same were distributed to 21 freedom fighters on 15th August, 2004; as the petitioners were not among those 21 freedom fighters, the State Government *vide* Memo dated 24.6.2005 directed the District Collector, Ranga Reddy District to examine the case of the petitioners

in the Writ Petition No.15694 of 2002 ; on verification of the representation, the name of the 5th petitioner was not found in the said Memo; and his representation was also not received in the office; regarding petitioners 1,2,3 and 4, their representations were received and the District Collector disposed of the same *vide* Memo dated 17.3.2005 intimating them to approach the District Collector to allot the house sites; Government has taken a decision to allot the house site pattas to the freedom fighters in their respective districts, but not in Ranga Reddy and Hyderabad Districts, the Government also issued a Memo dated 17.11.2004 informing the District Collectors, Ranga Reddy District and Hyderabad that it was decided to ban the assignment of individual house sites to the eligible people in Hyderabad and Ranga Reddy District; as the petitioners are not the natives of the Ranga Reddy District and Hyderabad, the Government issued a Memo asking them to approach the District Collectors of their native Districts for allotment of the house sites.

As the petitioners are not among the 21 freedom fighters, who were identified, they were not given pattas. The District Collector *vide* proceedings dated 6.7.2004, granted permission to issue house pattas to 21 eligible freedom fighters in Sy.No.1049 of Jawaharnagar Village and the same were also distributed to 21 freedom fighters

on 15th August, 2004 individually. The State Government also *vide* Memo dated 24.6.2005 directed the District Collector, Ranga Reddy District to examine the case of the petitioners. Pursuant to the same, the representations of the petitioners 1 to 4 were disposed of *vide* Memo dated 17.3.2005 intimating them to approach the concerned District Collectors for allotment of house sites, as the Government has taken a decision to allot house site pattas to the freedom fighters in the respective districts. As the representation of the 5th petitioner was not received in the office of the Mandal Revenue Officer, no action was taken on the same.

As the District Collector has already disposed of the representation of the petitioners *vide* Memo dated 17.3.2005 intimating them to approach the concerned District Collectors for allotment of house site pattas, no further orders are necessary in this writ petition. The writ petition is closed accordingly.

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

KONGARA VIJAYA LAKSHMI, J

Date: 09.07.2018

Slk

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