

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33370 of 2018

ORDER:

Heard both sides.

2. The present writ petition came to be filed seeking the following relief:

“To declare the action of the 3rd respondent in not send the correct factual report to the 1st respondent, as to nature of holding and the extent of Ac.4.70 cents in Survey No.390, situated at Behapudi, H/o. Nowluru Village, Mangalagiri Mandal, Guntur District, which was taken under the Land Pooling Scheme and not paying the eligible compensation both in terms of cash “kowl” and also the developed land, as illegal, arbitrary, contrary to the settled law and unconstitutional, and consequently direct the 1st respondent, to pay the eligible compensation in terms of cash “kowl” and also the developed land, as a rightful owner, with all consequential benefits.”

3. At the time when the matter is taken up for hearing, the learned counsel for the petitioner mainly submits that in view of the provisions of the Andhra Pradesh Capital Region Development Authority Act, 2014 and the rules thereunder, the Tahsildar is not competent to conduct any enquiry and submit report, and the

District Collector alone is the appropriate authority to deal with the application, if any, made by the petitioner.

4. Having regard to the above, the writ petition is disposed of at the admission stage, permitting the petitioner, if so advised, to make a fresh application before the District Collector, expressing his grievance, in which event, the District Collector shall deal with the same, and pass orders, in accordance with law, as early as possible. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

01.10.2018

Note: Issue cc in two days
(B.O)
DMG



JUSTICE C. PRAVEEN KUMAR