

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 39527 OF 2018

ORDER:

Challenging the inaction of respondent Nos.2 to 4 in considering the claim petition, dated 21.08.2017, of the petitioner to enter his agricultural land, over an extent of Ac.3-68 cents, situated in Sy.No.1009/B of Rangasamudram Village, Porumamilla Mandal, YSR Kadapa District, the present Writ Petition is filed.

2) It is the case of the petitioner that originally the subject land was allotted to one G. Nagamani, D/o Gurrappa, through Patta No.801 by the revenue authorities and thereafter the same has been transferred in favour of K. Yaja Lakshmmamma, D/o Pullaiah through Patta No.6 vide Proceeding No.FDS.No.3/76, dated 30.09.1966, who in turn sold the same to him, vide Registered Document No.2125/1974, dated 03.12.1974, for a valuable sale consideration. Thereafter, the petitioner made a representation to the revenue authorities for mutation of his name in the revenue records, accordingly, his name was in 1974, he was issued Rytiwari Passbook on 31.10.1979 and since then he has been in peaceful possession and enjoyment of the subject property by raising mango, guava, amla trees and other seasonal crops. While the things stood thus, the Government of Andhra Pradesh issued a Gazette Notification vide Act No.10 of 2017, dated 01.05.2017 for the purpose of updating resettlement register in respect of dotted lands and also issued G.O.Ms.No.210, dated 14.06.2017 for updation in Re-settlement Register to be applied by the aggrieved party and on such Application, the District Level Committee shall dispose of the claim, on merits, within six months from the date of filing of the claim petition. Accordingly, the petitioner made an Application vide Application

No.APDL011700010799, dated 21.08.2007, by paying requisite fee, along with necessary documents to enter his land in Re-settlement Register and other revenue records and delete from the prohibitory properties list, published under Section 22-A of the Registration Act, 1908, furnished to the Registration Department. However, in spite of his visits to the respondents' office and even after lapse of 14 months, the respondent authorities have not processed his claim petition nor considered his request. Hence the Writ Petition.

3) Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue (A.P.).

4) Having regard to the facts and circumstances of the case and especially considering the grievance of the petitioner that his claim petition, dated 21.08.2017, was not considered without going into the merits of the matter, it is appropriate to direct the 2nd respondent to consider the claim petition, dated 21.08.2017.

5) The Writ Petition is, therefore, disposed of, directing the 2nd respondent to consider the claim petition, dated 21.08.2017 of the petitioner and pass appropriate orders thereon, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving an opportunity of being heard to the petitioner.

No costs.

Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 02.11.2018

Ssv / Dsr