

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.42207 OF 2018

Date:26.11.2018

Between:

K. Kasi Viswanadham, S/o. Bapisetti,
Aged about 60 years, Occ: Business,
R/o. Nuzendla Village and Mandal,
Guntur District and others

.. Petitioners

And

The State of Andhra Pradesh, rep., by
its Principal Secretary, Panchayat Raj
Department, Secretariat, Velagapudi,
Amaravathi, Guntur District and others

.. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for petitioners; learned Government Pleader for Panchayat Raj appearing for respondents 1 to 4; learned Government Pleader for Revenue appearing for respondent No.5 and Sri G. Seshadri, learned Standing Counsel for respondent No.6.

2. Petitioners claim that their father donated Acs.2.00 of land in Survey Nos.449/B and 110/2 of Nuzendla Village and Mandal, by way of a registered deed by the then Block Development Officer, Vinukonda on 11.10.1962. Petitioners contend that only Acs.1.88 cents of land was used and Ac.0.12 cents of land is unused. Since the land is not put to use, petitioners claim that the said land should be re-conveyed to them. Accordingly, the District Collector, Guntur District, passed orders on 24.12.2016 re-conveying the land. Thereafter, the District Panchayat Officer, Panchayat Raj Department, Guntur District, issued proceedings dated 22.05.2017. Alleging that the said orders are not implemented, petitioners filed W.P.No.23029 of 2018. The said Writ Petition was allowed directing respondent No.4 therein to implement the directions contained in the proceedings dated 22.07.2017. The said order was challenged in W.A.No.1452 of 2018. The Division Bench of this Court set aside the order of learned Single Judge and the Writ Petition was restored to file for consideration of this Court.

3. While so, the present Writ Petition is filed alleging that the respondents are trying to permit the third parties to enter into the subject land to an extent of Ac.0.12 cents and trying to enter into illegal contracts with the third parties and not implementing the orders of respondent No.4, dated 22.07.2017. In other words, in the guise of alleging that third parties are entering into the land or entering into illegal contracts, petitioners seek same relief as sought in W.P.No.23029 of 2018. Further, even otherwise from the nature of prayer itself, it is clear that no decision is taken and that petitioners seek to prevent the authorities from taking a decision and even on this ground also, the Writ Petition is premature.

4. The Writ Petition is accordingly dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

Date:26.11.2018

KH

P. NAVEEN RAO, J

