

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.44291 of 2017

Order:

The case of the petitioner is that he purchased the land of an extent of 400 sq. yards, situated in Survey Nos.47 and 48 of Muralinagar, Madhavadhara, Visakhapatnam District, from his vendor namely Smt. Namballa (Vavilapalli) Ramanamma under an Agreement of Sale-cum-General Power of Attorney dated 16.11.2007 and since then he has been in possession and enjoyment of the said property. The said property was the ancestral property of his vendor and she acquired the same during their family partition. The said land was declared as 'not as excess land' by the third respondent and also declared that it does not fall in the lands of Adivivaram village and it is a vacant land. When the fifth respondent objected for constructing barbed wire fencing along the boundary of the said land in the year 2013, the petitioner filed O.S.No.251 of 2013 on the file of the V Additional Junior Civil Judge Court, Visakhapatnam, and the said suit was decreed by rejecting the claim of the fifth respondent that it is a temple land. Subsequently, the second respondent issued Gazette Notification No.3795/2008/E-1, dated 14.07.2015, wherein the property of the petitioner was included in the list of prohibited properties. On coming to know of the same, the petitioner made an application to the second respondent on 27.06.2017 seeking deletion of his property from the prohibited list, who in turn directed the third respondent to consider the application of the petitioner. When no orders were passed on the application of the petitioner dated 27.06.2017, the present Writ Petition is filed.

Since the application of the petitioner is pending consideration before the second respondent, the second respondent is directed to pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A. RAMALINGESWARA RAO, J

Date: 23.01.2018
Nsr

