

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITIOIN No.12779 of 2019

ORDER:

Heard.

2. This Writ of Mandamus is filed to declare the action of the respondents 2 and 3 in not taking steps in disbursing the ex-gratia amount of about Rs.22,75,000/-, as per the directions in WP No.30655 of 2012 and W.A. No.1689 of 2013 and sought for a direction to pay ex-gratia.

3. When the matter is taken up for consideration, learned Government Pleader for Revenue produced the original copy of the proceedings No.D/3781/2010, dated 03.08.2013, of the Special Grade Deputy Collector & Revenue Divisional Officer, Saroornagar Division. From a reading of the said proceedings, it appears that consequent to setting aside the order of the Tahsildar, Ibrahimpatnam, dated 27.02.2012, by the learned single Judge, notices were issued to the petitioner and the original assignee, and after affording an opportunity of hearing them, orders were passed in modification of the earlier orders, dated 24.12.2010, holding that the petitioner is not entitled for payment of ex-gratia. That order was communicated to the original assignee and the petitioner.

4. After perusing the original copy of the proceedings dated 03.08.2013, the same is returned to the Government Pleader and a photocopy of the same is taken on record.

5. Learned counsel for the petitioner sought to contend that the proceedings dated 03.08.2013 were not served and disputed the endorsement made on the original copy of the proceedings. Therefore, it is open to the petitioner to establish that the said proceedings were not served on him.

6. Since a decision is already made holding that the petitioner and the original assignee are not entitled to seek ex-gratia, the writ petition is dismissed, leaving it open to the petitioner to avail his remedy against the decision holding that the petitioner is not entitled to receive the ex-gratia. No order as to costs.

Miscellaneous petitions, if any pending, shall stand dismissed.

P. NAVEEN RAO, J

July 23, 2019

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