

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.15546 OF 2019

O R D E R

The case of the petitioner is that her grandfather by name Mr. Kunamalla Narsimham, was granted patta in respect of subject land in an extent of Acs.4.20 gts in Sy.No.262 situated at Sarapaka village, Burgampahad Mandal, Khammam District and subsequently, the said land was taken over by the Government and allotted to 6th respondent – Company, and alternatively, the 5th respondent – Tahsildar, vide proceedings in Rc.No.A6-1993/76 dated 2.06.1976, had allotted similar extent of land in the same survey number to the grand father of the petitioner, and ever since he has been in possession and enjoyment of the said land and subsequently the petitioner along with other legal heirs are in possession. The case of the petitioner is that she, along with her two sisters and brother are the legal heirs and descendants of the original allottee – Kunamalla Narsimham. The further case of the petitioner is that when the 6th respondent - company has been highhandedly and un-authorizedly using the alternative land allotted to his grandfather, for parking purposes, they made several representations to the 5th respondent, but of no avail. Subsequently, the 5th respondent has taken the possession of the land allotted to 6th respondent under panchanama dated 09.10.2015. The case of the petitioner is that she made representations on 28.06.2017 and 26.06.2018 to 3rd respondent – District Collector for the handing-over the land to them, which has been taken over from their grandfather and allotted to 6th respondent – company, but no action has been taken. Hence, the present writ petition.

Heard the learned counsel for the petitioner.

Heard learned Assistant Government Pleaders for Social Welfare and Revenue. Learned counsel submits that 3rd respondent has not received any representation stated to have been filed by the petitioner.

Heard the learned counsel for the 6th respondent, who states that petitioner is unnecessarily dragging respondent No.6 to the litigation and that respondent No.6 is not interested in the subject land.

In the material papers filed along with the writ petition, petitioner filed copy of the representation dated 28.06.2017 submitted to the 3rd respondent, and the said representation contains the acknowledgement of the office of the 3rd respondent.

Having regard to the facts and circumstances of the case, and as the filing of the representation by the petitioner is being disputed, without expressing any opinion on merits, writ petition is disposed of directing the petitioner to make fresh representation along with relevant documents to respondents 4 and 5 – revenue authorities, and upon receipt of the said representation, the competent authority among the said respondents, is directed to take action in accordance with law, within a period of eight weeks from the date of receipt of such representation.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:31—07—2019

AVS