

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.28619 of 2013

ORDER

This writ petition is filed seeking the following relief:

“....to issue writ, order or direction more particularly one in the nature of writ of Mandamus by declaring the inaction of respondent herein not considering the petitioners’ representation dated nil-6-2013 is arbitrary, illegal, contrary to law and also in violation of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondent herein to consider representation dated nil-6-2013 and pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

The grievance of the petitioners is that though their lands were acquired by the respondents for construction of houses, the said lands were not utilised for the purpose for which they were acquired. Since the respondents have not utilized the lands of the petitioners for construction of houses, they must return the same to them. Hence, the petitioners submitted a representation to the respondents in the month of June, 2013. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioners contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioners.

Learned Standing Counsel appearing for the respondents contended that since the representation submitted by the petitioners is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the petitioners to submit a representation afresh staking their claim for return of the lands acquired from them within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders within a period of eight weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 13.02.2020
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