

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.8877 OF 2001

ORDER

This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with the impugned order dated 9.6.2003 passed by the 1st respondent and quash the same by holding it as arbitrary and illegal, and consequently, to direct the respondents to grant ryotwari patta to the petitioner in respect of 0.96 hcts, situated in Sy.No.89/2 in Kondagokira Village, Koyyuru Mandal, Visakhapatnam District.

Heard Sri P.Veerraju, learned counsel appearing for the petitioners and learned Government Pleader for Revenue appearing for the respondents.

It is the case of the petitioners that the land in question was Inam land, which was taken over by the Government of Andhra Pradesh on 20.7.1955 under the provisions of A.P. Estates (Abolition and conversion into Ryotwari) Act, 1948. The father of the petitioners was inducted into possession of the land in question long back by the land holder as it remained as an un-cultivated land and his father spent a lot of money and brought it under cultivation and was cultivating the said land. The petitioners had approached the Settlement Officer, Visakhapatnam, for grant of rights over the said land

and the respondents had rejected their cases, against which, the petitioners had preferred an appeal before the Director of Settlement, Hyderabad, who is the 2nd respondent, by filing appeal viz., A.P.No.402/79 and finally, appeal was also dismissed and the matter was further carried to the 1st respondent and the 1st respondent dismissed the same vide impugned order dated 9.6.2003.

It has been brought to the notice of this Court by the learned counsel for the petitioners that in similar circumstances, this Court disposed of W.P.No.26554 of 2003 & batch on 2.12.2010 and W.P.No.8876 of 2005 on 12.11.2014, and remitted back to the Chief Commissioner of Land Administration to adjudicate the matter afresh.

Following the same, this writ petition is allowed and the matter is remanded to the 1st respondent for passing appropriate orders afresh after affording opportunity to all the parties. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

2nd February, 2018
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Registry to annex a copy of the order passed in W.P.No.8876 of 2005 to this order.