

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39076 of 2012

29.11.2013

Between:

The Nellore District S.C. & S.T. Advocates
Mutually Aided Cooperative House Building Society
Limited, Nellore

...Petitioner

And

The Government of Andhra Pradesh,
represented by its Principal Secretary,
Hyderabad and others

...Respondents

Counsel for the petitioner: Sri Penumaka Venkata Rao

Counsel for respondents: Assistant Government
Pleader for Revenue

The Court made the following:

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ORDER:

This writ petition is filed with the grievance that the petitioner's representations for grant of house sites in survey No.3 of Kalluripalli Village, Nellore Rural Mandal, SPSR Nellore District, are not being considered by the respondents.

In the counter-affidavit filed by respondent No.4, it is *inter alia* stated that the petitioner represented to the respondents for grant of house sites in survey No.8 but not in survey No.3 and that in view of the pendency of W.P.No.25288 of 2006, wherein an interim order in W.P.M.P.No.32377 of 2006 was passed by this Court on 06.12.2006 directing the respondents not to convert the minor irrigation source, namely, Kothacheruvu in survey No.8 into house sites, an endorsement was issued to the petitioner to the effect that it is not possible to accept its request for grant of house sites in survey No.8.

No reply-affidavit is filed by the petitioner controverting the averments made in the counter-affidavit of respondent No.4.

In view of the abovenoted facts, no *mandamus* can be issued to the respondents for grant of house sites in survey No.8 to the petitioner. However, the petitioner shall be free to approach the respondents for grant of assignment in respect of any other survey number. If such an application is filed, the respondents shall consider and dispose of the same in accordance with law.

Subject to the liberty given to the petitioner as above, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.Nos.49586 and 50455 of 2012 filed by the petitioner for interim reliefs shall stand

disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

29th November, 2013

GHN