THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY WRIT PETITION NO.12214 OF 2021

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

- "....to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the inaction of 4th respondent in exercising jurisdiction vested with him under Section 4 of the A.P. Rights in Land and Pattadar Passbooks Act, 1971, in mutation of the 1st petitioner's name in respect of the agricultural land in an extent of Ac.9-13 cents of land in R.S.Nos.13/1, 13/2, 13/3, 13/4, 13/5, 13/6, 13/7, 13/8, 13/9, 13/10, 13/11, 13/12, 13/13, 13/14, 13/15 and 13/16 of Nunaparthi Gangamambapura Agraharam, Village. Atchuthapuram Mandal, Visakhapatnam District, as illegal, unconstitutional and unreasonable, violative of principles of natural justice and fundamental rights, consequently direct the 4th respondent to dispose of the 1st petitioner's representation dated 19-12-2020 in the light of provisions of Section 4 of the A.P. Rights in Land and Pattadar Passbooks Act, 1971 and pass such other order."
- 2. Though the petitioners made several allegations against the respondents, during hearing, Mr. Tanikonda Chiranjeevi, learned counsel for the petitioners limited his request to direct the 4th respondent to dispose of the representation, dated 19-12-2020 submitted by the 1st petitioner, without touching the merits of the case.
- 3. Learned Assistant Government Pleader for Revenue appearing for respondents 1 to 4 readily agreed to dispose of the representation, dated 19-12-2020 submitted by the 1st petitioner, if any, pending with the respondent-authorities.
- 4. Recording the submission of the learned Government Pleader for Revenue, I need not decide the truth or otherwise of the allegations made in the petition. This Court is conscious that no

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such direction be issued, in view of the judgment of the Apex Court

in "The Government of India v. P. Venkatesh1", wherein the Apex

Court held that such orders may make for a quick or easy disposal of

cases in overburdened adjudicatory institutions. But, they do no

service to the cause of justice. As the learned counsel for the

petitioners himself requested to issue a direction to the 4th

respondent to dispose of the representation, dated 19-12-2020

submitted by the 1st petitioner, I find no other alternative, except to

issue such direction.

In the result, the Writ Petition is disposed of, directing the 5.

4th respondent to dispose of the representation, dated 19-12-2020

submitted by the 1st petitioner, in accordance with law, if it is

pending, within four (04) weeks from today. There shall be no order

as to costs.

As a sequel miscellaneous application, pending, if any, shall

also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date: 28.06.2021

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¹ 2019 (8) SCALE 544

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