

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY****WRIT PETITION No.20251 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 or writ, more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction on the part of the respondent No.2 in finalizing the proposal for regulation of the land admeasuring 242 Sq. yards in Survey No.11/1 of Akkarampalle Village, Tirupati Urban Mandal in accordance with the rules made in vide G.O.Ms.No.166, Revenue (ASS.POT) Department dated 16.02.2008 as recommended by respondents 3 and 4 as arbitrary illegal and pass such other order or orders...”*

2. The case of the petitioner is that he purchased the land admeasuring 242 Sq. yards in Sy.No.11/1 of Akkarampalle Village, Tirupati Urban Mandal, under a registered sale deed dated 11.04.1984 from one Sri Kodanda Reddy S/o.Govinda Reddy bearing document No.2061/1984. The petitioner raised a small structure in the said land. Since the date of purchase, he has been in possession and enjoyment of the same. The Government of Andhra Pradesh framed a policy in the year 2008 framing guidelines of regularization of unauthorized occupation under Andhra Pradesh Transfer of Rights to Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008 vide G.O.Ms.No.166, Revenue (ASS.POT) Department, dated 16.02.2008.

3. In pursuance of G.O.Ms.No.166 referred above, the petitioner submitted an application for regularization of occupation of the land covered by the sale deed dated 13.03.2009. The 4<sup>th</sup> respondent has forwarded with a recommendation of regularization of the land occupied. Thereafter, 3<sup>rd</sup> respondent/ Revenue Divisional

Officer herein has also forwarded the proposal of the Tahsildar vide proceedings in R.C.No.G/8821/08 dated 13.02.2012 with a request to 2<sup>nd</sup> respondent to place the finalization of the application of regularization and assigned Government Land, which has been in possession and enjoyment of the petitioner since the date of purchase.

4. The proposal for regularization of the plot of land covered by the sale deed dated 11.04.1984, is kept pending without disposing of the same, though the petitioner complied with all the encroachments and submitted representation dated 05.07.2021 requesting the authorities to consider his application. In fact, as per the list of eligible cases under G.O.Ms.No.166, dated 16.02.2008, the amount payable by the petitioner in respect of the subject land was determined as Rs.4,18,638/- and the petitioner is willing to pay the said amount and no action was taken till date in terms of G.O.Ms.No.166 dated 16.02.2008 and requested to issue a direction.

5. During hearing, Sri Ghanta Sridhar, learned Senior counsel reiterated the contentions and would draw the attention of this Court to documents filed along with the Writ Petition and whereas learned Assistant Government Pleader for Revenue requested to direct the respondent No.2 to take appropriate decision in terms of recommendation vide proceedings of the Revenue Divisional Officer dated 13.02.2021 in R.O.C.No.G/1821/08 based on the representation made by this petitioner dated 05.7.2021.

6. Recording the submissions made by the learned Assistant Government Pleader, basing on the undisputed proceedings filed along with this Writ Petition to direct the 2<sup>nd</sup>

respondent to dispose of the application of this petitioner in terms of G.O.Ms.No.166 dated 16.02.2008 for regularization of unassigned land occupied by this petitioner subject to payment of the amount assessed by the authorities vide proceedings dated 13.02.2021 in R.O.C.No.G/1821/08 in accordance with law subject to eligibility of this petitioner as rules in force as on date within four(4) weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of at the stage of admission with the consent of both the counsels.

Consequently, miscellaneous applications, pending if any, shall stand closed.

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**JUSTICE M. SATYANARAYANA MURTHY**

Date:15-09-2021  
KLPD

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**WRIT PETITION NO.20251 OF 2021**

Dated:15-09-2021  
KLPD