

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24020 of 2015

ORDER:

Heard.

The petitioner seeks to question the action of respondents 5 and 6 in fencing the land bearing Sy.No.72 situated at Manikonda Village, Rajendranagar Mandal, Ranga Reddy District, in spite of pendency of his application, dated 23-12-2013 seeking assignment of the land in Sy.No.72 for the purpose of approach road on payment of market value.

The petitioner states that he is the owner of the land admeasuring Ac.0-24 gts., in Sy.No.67/2, which is adjacent to the land of Sy.No.72, which is a Government vacant land. The petitioner states that he is having access to his property from the said Sy.No.72 for several decades and hence he made application to the 3rd respondent seeking to assign a piece of land in Sy.No.72 for approach road. It appears that the proposals were sent on the petitioner's application and they were being examined at various levels. The petitioner filed the present writ petition aggrieved by the action of respondents 5 and 6 in fencing the land in Sy.No.72.

Learned Government Pleader has received instructions which state that the land claimed by the petitioner was inspected by the 6th respondent along with the Mandal Surveyor on 04-09-2015 and it was found that there are residential apartments surrounded by the petitioner's land and there are also constructions in the petitioner's land bearing Sy.No.67/E. The petitioner seeks allotment of land in Sy.No.72 for the purpose of access to his property and his application, dated 23-12-2013 was processed by the 3rd respondent and proposals were sent to the 2nd respondent on 12-03-2014. It is also stated that the 2nd respondent recommended the matter and the same is pending with the Government. The Government, however, found that the documents which are required to be examined under G.O.Ms.No.571

Revenue (Assn.I) Department, dated 14-09-2012, are not submitted by the petitioner along with check list mentioned under Annexure-XI. Hence, the 3rd respondent is required to send the required documents and the matter appears to be pending at that stage.

Learned counsel for the petitioner states that the petitioner has given all required documents, as set out in the checklist in Annexure-XI. However, if any documents are required, the petitioner would furnish the same to the 6th respondent, if the 6th respondent gives any notice, so that the same can be forwarded to the Government.

In view of the fact that the petitioner's request is pending for a long time and that the Government is also considering the petitioner's request for assignment on payment of market value, it is just and appropriate to direct the 6th respondent to take appropriate steps to send the required documents furnished by the petitioner to the 1st respondent for its consideration.

Accordingly, the writ petition is disposed of directing the 6th respondent to take all necessary steps for collection of documents from the petitioner, as stated above, and send a report to the 3rd respondent, as early as possible, preferably within four weeks from the date of receipt of a copy of this order, so that the 3rd respondent would be able to forward the same to the 1st respondent for consideration of the proposal of the petitioner. Since the compound wall is stated to have been already constructed around Sy.No.72, the petitioner's claim for access would be subject to the orders that would be passed by the Government. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 14-09-2015

Prv

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