

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.12037 of 2015

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Between:

1. Bathula Kumari and others.

PETITIONERS

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Revenue
Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

Heard learned counsel for the petitioners, learned Assistant Government Pleader for Revenue (A.P) for respondents 1 to 4 and Sri T. Sudhaker Reddy, learned Standing Counsel for APSHCC for respondents 5 and 6.

This writ petition is filed on the mere apprehension that the explanations submitted by the petitioners may not be considered in the proper perspective. The case of the petitioners is that they came to be granted individual house site pattas

under “Indiramma Rajyam Intinti Sowbhagyam” Scheme on 17.11.2008. Thereafter, they have surrendered the said pattas in favour of the A.P. State Housing Corporation, Hyderabad, for the purpose of construction of pucca houses by arranging necessary funds, and they are all waiting for the steps to be taken by the Housing Corporation. Be that as it may, to the urgent notice issued by the 4th respondent dated 2.03.2015, the petitioners submitted individual explanations on 18.03.2015. The main grievance of the petitioners is that instead of taking steps to complete the construction by sanctioning the budget, the respondents have resorted to cancel the allotment granted in their favour. As they are all belonging to weaker sections of the society the petitioners seek indulgence of this Court. Hence, they approached this Court by way of this writ petition.

It is an admitted fact that the petitioners have submitted individual explanations dated 18.03.2015 to the urgent notice dated 2.03.2015 issued by the 4th respondent. As of now there is no basis for the petitioners to come to a conclusion that their explanation will not be considered. The apprehension is generated in the minds of the petitioners is only on account of the fact that very short time was granted for submitting the explanations. As the notice itself came to be issued on the basis of the representation submitted by a group of 50 persons, it cannot be said that the petitioners’ apprehension is totally unfounded. In view the same, the 4th respondent is under obligation to consider the explanations submitted by the petitioners uninfluenced by any of the factors, especially that there are 50 other people, who have made requisition for grant of house site pattas. The respondents shall also take into consideration of the fact that the petitioners’ house site pattas were surrendered to the Housing Corporation and at the relevant point of time there were Schemes wherein the Housing Corporation was required to make constructions. These are all the matters, which required to be considered by the authorities while passing the orders.

Accordingly the writ petition is disposed of with a direction to the 4th respondent to consider the explanations submitted by the petitioners and pass appropriate orders in accordance with law as expeditiously as possible by taking into consideration all the relevant material. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

23rd April, 2015

Js.