

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.36675 of 2015

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ORDER:

Heard.

The 1st petitioner is the widow and the 2nd petitioner is the daughter of one late D.N.Paul, who was Reserve Inspector of Police and who is stated to have unfortunately died in harness in extremist violence on 04-09-1992. In terms of the policy of the Government under G.O.Ms.No.155, General Administration (SC.C) Department, dated 11-04-1977 and G.O.Ms.No.30, General Administration (SC.C) Department, dated 01-02-1996, the petitioners seek allotment of house site to compensate for the loss of husband and father respectively, of petitioners 1 and 2. While there appears to be a substantial correspondence between the petitioners and the Government as well as the interdepartmental communications of the Government exploring and identifying suitable land, meanwhile, the petitioners have also approached the Hon'ble Lokayuktha. After perusing the report of the 5th respondent, the Hon'ble Lokayuktha passed order on 21-01-2015 observing as follows:-

“Specific directions were issued on 19-06-2014 to the Collector, Hyderabad District and in response to it, he filed his report dated 20-01-2015, stating that along with the complainant, allotment of plots in favour of Ms.P.V.Sindu and Smt.P.Padma have also been considered and residential plots have been identified and the matter is under process and that however, residential plots will be allotted either in Saidabad or Bandlaguda or Khairatabad Mandals of Hyderabad District.

The Collector, Hyderabad District is directed to finalize the allotment of residential plot in favour of the complainant within three (3) months from today.”

The petitioners have filed the present writ petition contending that the said order is not complied with and on the contrary, the land proposed to be allotted to the

petitioners is now notified for public auction by the Government and seeks a Mandamus as prayed for.

Learned Government Pleader has received instructions, which inter alia referred to the orders passed by the Hon'ble Lokayukta and further in the meeting held on 09-07-2015, the Telangana State Land Management Authority (for short 'TSLMA') took a decision to obtain Nativity Certificates from three individuals including the 1st petitioner. It is also stated that earlier plots were identified for allotment at Bharani layout, Jubilee Hills and now proposed for auction by the Government and that the request of three individuals including the 1st petitioner for allotment is under consideration of TSLMA. It is also stated that the said allotment will be made after fulfilling the conditions and existing rules in terms of G.O.Ms.No.155, dated 11-04-1997, referred to above.

In view of the said instructions, it is apparent that the petitioners' request for allotment is under consideration before TSLMA and the Government assures to take appropriate decision accordingly.

However, the request of the petitioners with respect to a particular plot in Bharani layout, as claimed, and objection to the action of the Government in proposing to sell the same cannot be accepted. Though the petitioners' claim is for allotment of a plot, they cannot seek particular allotment in a particular locality. TSLMA would properly decide the location of the site and consider the request of allotment of all such eligible persons including the petitioners in accordance with the policy of the State and the Government shall take appropriate action expeditiously.

Keeping in view the directions of the Hon'ble Lokayuktha, as extracted above, which already exist in favour of the petitioners, the writ petition is disposed of directing the 1st respondent to consider the request of the petitioners, as recorded above, and take appropriate decision in accordance with law, as expeditiously as possible. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 20-11-2015

Prv

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