

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION No. 22862 of 2011

Between:

P. Venkateswarlu

.. Petitioner

and

The Government of Andhra Pradesh, rep.
by the District Medical and Health Officer,
Ongole, Prakasam District and others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 29.07.2015

SUBMITTED FOR APPROVAL:

-

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22862 of 2011

ORDER:-

Heard learned counsel for the petitioner, learned Government Pleader for Medical and Health appearing for the respondents 1 and 2, and learned Government Pleader for Revenue appearing for the 3rd respondent. With the consent of both the parties, the main writ petition is heard and disposed of at the admission stage itself.

The averments made in the affidavit filed in support of the writ petition are that when there was a proposal by the Government to construct a hospital for the benefit of the village, as the villagers were suffering from lack of medical facilities, the mother of the petitioner registered land admeasuring Ac.1.20 cents in Survey No.172/17 situated at Pamuru Village, Prakasam District, in favour of the 1st respondent, vide document No.232/1988, dated 10.02.1988. It is stated that though the prime objective of executing the said gift deed was to construct a hospital for the benefit of the villagers in the year 1988, till date no construction has been made. The petitioner is said to have made several representations to the respondents 1 and 2 seeking to cancel the gift deed dated 10.02.1988 and to return the property to him, but there was no response from

them. Questioning the inaction on the part of the respondents 1 and 2 in considering his case, the petitioner filed the present writ petition.

Learned Government Pleader for Revenue, on oral instructions, states that a foundation stone was already laid for construction of the hospital and that it is incorrect to say that no steps were taken for construction of the hospital.

If really the petitioner is aggrieved by the inaction on the part of the respondents 1 and 2 in constructing a hospital though the gift was made in the year 1988, the remedy would be something else and definitely not by way of filing this writ petition. In any event, since the request of the petitioner was only for considering his representation and for return of the property, as the terms of the gift deed were violated by the respondents 1 and 2, the present Writ Petition is disposed of, by advising the respondents 1 and 2 to dispose of the representation made by the petitioner, in accordance with law, if the same is still pending consideration, at the earliest.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall also stand closed.

C. PRAVEEN KUMAR, J

29th July, 2015
cbs

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22862 of 2011

29th July, 2015

cbs