

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY, THE FIRST DAY OF JUNE TWO THOUSAND AND FIFTEEN

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.12913 of 2015

Between:

V. Ravi Kumar,
S/o.Late V. Venkata Rao,
Aged 52 years, R/o. D.No.11-85,
SFS-35, MIG-I, P.M.Palem,
Visakhapatnam.

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by Prl. Secretary,
Municipal and Urban Development Department,
Secretariat Buildings, Hyderabad & 3 others

.. Respondents

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12913 of 2015

ORDER:

With the consent of the learned counsel for the petitioner, the learned Standing Counsel for Visakhapatnam Urban Development Authority and the learned Assistant Government Pleader for Municipal Administration and Urban Development, State of Andhra Pradesh, this writ petition is disposed of at the

admission stage.

2. The case of the petitioner is that he along with

Sri G. Nageswara Rao jointly purchased Plot No.85 in Survey No.3/1 to an extent of 603.81 square yards, situated at P.M. Palem, Visakhapatnam. Huge extent of land was acquired by the Visakhapatnam Urban Development Authority to form a layout and to sell individual house plots. The layout was approved on 13.08.1990. Many of the plots were sold. There were some left over plots which were subsequently auctioned and in the said manner, the petitioner and Sri G. Nageswara Rao became the owners of Plot No.85. The grievance of the petitioner necessitating institution of this writ petition is that Plot No.85 was not included in the original layout approved by the Visakhapatnam Urban Development Authority and as it is not included in the layout, grave prejudice is caused to the petitioner.

3. Learned counsel for the petitioner submits that the Executive Engineer of the A.P. Housing Board, Visakhapatnam (4th respondent) vide his letter, dated 12.02.2015, addressed to the Vice Chairman, Visakhapatnam Urban Development Authority, Visakhapatnam (3rd respondent) informed the Visakhapatnam Urban Development Authority that the left over plot was subsequently sold to the petitioner and

Sri G. Nageswara Rao and the plot was not originally included in the layout and need to be included. He submits, in spite of such recommendation made by the A.P. Housing Board, Visakhapatnam on 12.02.2015 to the Visakhapatnam Urban Development Authority by a letter, dated 10.04.2015, no further orders are passed causing grave hardship to the petitioner.

4. Learned Standing Counsel representing the Visakhapatnam Urban Development Authority submits that no request is made by the petitioner for taking consequential steps as suggested by the Housing Board and if the petitioner submits a representation, appropriate action would be taken by the Visakhapatnam Urban Development Authority.

5. Having regard to the said submissions, the Writ Petition is disposed of, without expressing any opinion on merits, granting liberty to the petitioner to submit a representation to the Visakhapatnam Urban Development Authority requesting the authority to include Plot No.85 claimed to have been purchased by him along with Sri G. Nageswara Rao, in the layout approved by the Visakhapatnam Urban Development Authority in the year 1990 along with the relevant documents in support of the claim. As and when such a representation is received, the Visakhapatnam Urban Development Authority shall consider and take a decision, as warranted by law, duly taking note of the recommendation made by the Housing Board and such a decision shall be taken within a period of four (4) weeks from the date of receipt of representation. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 1st June, 2015

Note: Issue C.C. in two (2) days.

(B/o.)

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.12913 of 2015

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Date: 1st June, 2015

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