

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.15733 of 2008

Date: 29-07-2015

Between:

Alumini Associations of Dr. V. S. Krishna
Government Degree College, represented by its
Charter Secretary

.. Petitioner

AND

The State of Andhra Pradesh, represented by
Chief Secretary, Hyderabad and 3 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.15733 of 2008

ORDER:

-
This writ petition is filed for a mandamus declaring the action of the 2nd respondent in issuing G.O.Ms.No.69 Municipal Administration and Urban Development (H2) Department, dated 16-02-2005, whereby the Government reconveyed the piece of land admeasuring 556 square yards in S.No.49/20-B, Maddilapalem village, which was acquired by VUDA vide Award No.7/79, dated 26-12-1979, in favour of original land owners from whom the land was acquired, as illegal and arbitrary.

2. The case of the petitioner is that the petitioner Association formed with old students of the 4th respondent college, which was registered in the year 2004. The petitioner Association is working for development of college provided by the petitioner association by providing additional infrastructure. It is stated that the 2nd

respondent issued G.O.Ms.No.69, Municipal Administration and Urban Development (H2) Department, dated 16-02-2005 re-conveying the land admeasuring 556 square yards in S.No.49/20B, Maddilapalem village. The Government has no power to re-convey the land. Aggrieved by the said action, the present writ petition is filed.

3. Heard Sri C. Raghu, learned counsel for the petitioner and Sri P. Jagadish Prasad, learned standing counsel for the 3rd respondent.

4. In this case, though the G.O. is challenged, the affected parties viz., the land owners in whose favour re-conveyance was made were not made parties to the writ petition, and more so, the 4th respondent college has stated no objection for re-conveying the land. In the absence of affected parties and unless such affected parties are made parties to the writ petition, no relief can be granted against them. Therefore, on that sole ground, the writ petition is liable to be dismissed for non-joinder of necessary parties.

Accordingly, the writ petition is dismissed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 29-07-2015

Ksn