

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.36219 of 2015

Dated 06.11.2015

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Between:

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Syed Noorul Hasan

... Petitioner

and

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The State of Telangana

rep. by its Prl.Secretary

Municipal Administration

Hyderabad and 5 others.

...Respondents

Counsel for the petitioner: Mr.Aequitasjuris Law Firm

Counsel for respondent No.1: GP for Municipal Administration

Counsel for respondent Nos.2 to 5: None appeared

The Court made the following:

Order :

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in not considering the petitioner's representation, dated 14-09-2015, as arbitrary. The petitioner sought for a consequential direction to respondent Nos.2 and 3 to consider his objections to the application stated to have been filed by respondent Nos.4 to 6 for approval of lay out.

The petitioner averred that he is the owner of Acs.14-00 guntas out of Acs.526.07 guntas of land in Survey No.83 of Raidurg, Panmaqtha Village; that respondent Nos.4 to 6, who have no manner of right over the said property, have applied to respondent Nos.2 and 3 for approval of lay out; and that on coming to know about the same, he has made a representation on 14-09-2015 requesting respondent Nos.2 and 3 not to entertain any application for approval of lay out in respect of Survey No.83.

At the hearing, the learned Counsel for the petitioner is unable to state the reason for the petitioner to assume that respondent Nos.2 and 3 will not consider his objections before taking a decision on the application filed by respondent Nos.4 to 6 for approval of lay out. Being the authority vested with the power to approve the lay out, it is the bounden duty of respondent No.2 to consider the objections, if any, for such approval. In this view of the matter, I do not find any reason to entertain this Writ Petition at this stage. However, if the petitioner feels aggrieved by the approval of lay out by respondent No.2, he shall be free to avail appropriate remedy in accordance with law.

The Writ Petition is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.46607 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 6th November, 2015

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