

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.32406 of 2013

ORDER:

The relief sought for in this Writ Petition is to declare the action of the sixth respondent, in not considering the representation of the petitioners dated 24.09.2013 and cancelling the layout approval for lands in Sy.Nos.655, 656, 657 and 658 of Suryapet Village, Nalgonda District, as illegal and arbitrary.

The petitioners herein, along with several others, claim to have purchased various plots in the year 2001 from a person who is said to have been granted an unregistered General Power of Attorney by the mother of the seventh respondent. A partition suit was filed which culminated in a compromise amongst the seventh respondent's family members, including his mother; and the subject lands are said to have fallen to the share of the seventh respondent. The seventh respondent's mother is said to have obtained sanction for a layout in the year 1998. After the decree was passed, in the partition suit, the seventh respondent is stated to have submitted an application to the sixth respondent seeking sanction of a revised layout. Apprehending that the sixth respondent would accord sanction for the revised layout, without considering their representation dated 24.09.2013, the petitioners have invoked the jurisdiction of this Court.

Both Sri N.Harinath, learned counsel for the petitioners, and Sri P.Venugopal, learned counsel appearing on behalf of the seventh respondent, would agree that the civil suits, filed by the petitioners and the seventh respondent against each other for injunction, declaration of title/cancellation of the sale deeds etc., are still pending.

The present Writ Petition has been filed on the mere apprehension that the sixth respondent would accord sanction without considering the petitioners' representation dated 24.09.2013. Sri

P.Venugopal, learned counsel appearing on behalf of the seventh respondent, would state that, while the petitioners have no right to submit representations to the sixth respondent not to accord sanction for a revised layout in favour of the seventh respondent, the seventh respondent should also be afforded an opportunity of submitting his objections in case this Court were to direct the sixth respondent to consider the petitioners' representation dated 24.09.2013.

I consider it appropriate, in such circumstances, to dispose of the Writ Petition permitting the seventh respondent herein to file his representation, raising objections to the earlier representation submitted by the petitioners on 24.09.2013, within two weeks from today. The sixth respondent shall consider both the representations of the petitioner dated 24.09.2013, and the representation to be submitted by the seventh respondent, and pass orders in accordance with law within six weeks from the date of receipt of the representation of the seventh respondent.

The Writ Petition stands disposed of accordingly. It is made clear that, till final orders are passed by the sixth respondent, *status quo* as on today shall be maintained. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

06th February, 2014.

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