

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39932 of 2015

-
10.12.2015

Between:

Bellagubbala Lakshmi Sanjay

.. Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.V.Venugopala Rao

Counsel for respondent No.1: Government Pleader for
Municipal Administration and Urban Development (AP)

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Counsel for respondent Nos.2 to 4: Mr.Siva Kumar, for Mr.D.Ramesh,
Special Government Pleader (AP)

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Counsel for respondent Nos.5 to 10: --

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the inaction of respondent Nos.2 to 4 in paying annuity amount to the petitioner for the land admeasuring Acs.1.25 cents in survey D Nos.127/5 and 127/9 of Krishnayapalem Village, Mangalaigir Mandal, Guntur District, taken over by them in connection with construction of capital city as per Rule 5 of the Andhra Pradesh Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015, as illegal and arbitrary.

On 09.12.2015, this Court adjourned the case to enable Mr.Siva Kumar, learned counsel representing Mr.D.Ramesh, learned Special Government Pleader (AP) appearing for respondent Nos.2 to 4, to obtain instructions. Today, at the hearing, the learned counsel has submitted that there are rival claims made by the petitioner as well as respondent Nos.5 to 10 and that respondent No.4 will decide the said claims under Section 50 of the Andhra Pradesh Capital Region Development Authority Act, 2014 (for short 'the Act').

In the light of the above submissions, the Writ Petition is disposed of with the direction to respondent No.4 to take an appropriate decision under Section 50(1) of the Act within a period of two months from the date of receipt of a copy of this order. If either party feels aggrieved by such decision, they may avail the remedy of a civil suit under Section 50(2) of the Act.

As a sequel to disposal of the writ petition, W.P.M.P.No.51554 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

10th December, 2015

GHN

