

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.21597 OF 2015

ORDER:

In this Writ Petition, the petitioners seek consideration of their applications for regularisation stated to have been made by each of them in terms of G.O.Ms.No.59, dated 30.12.2014, in respect of their houses in Survey Nos.78, 79 and 80 of Balapur Village, Sarrornagar Mandal, Ranga Reddy District.

On 13.07.2015, while issuing notice before admission, this Court directed the respondents not to remove the unauthorised constructions stated to have been made by the petitioners, if the applications filed by them for regularisation were not disposed of so far. The petitioners were also directed to maintain the position obtaining as on that day and shall not make any fresh/further construction until further orders.

Though a counter-affidavit is filed, it now transpires that the rejection orders were passed in case of the petitioners rejecting their request for regularisation. Since the petitioners allege that the orders of rejection have not been served on them, learned Government Pleader has served the entire set of rejection orders today on the learned counsel for the petitioners.

Learned Senior Counsel appearing for the petitioners, however, prays that in view of the earlier orders passed by this Court in W.P.No.24143 of 2015, dated 04.08.2015, the petitioners be granted liberty to approach the Joint Collector in terms of Clause 2 (xiv) of G.O.Ms.No.59, dated 30.12.2014 and the Joint Collector may be directed to consider the request of the petitioners for regularisation for their houses. The operative portion of the order in W.P.No.24143 of 2015, dated 04.08.2015 reads as under:

“The writ petition is, therefore, disposed of giving liberty to the

petitioners to approach the Grievance Redressal Authority and make appropriate application seeking reconsideration of the rejection orders passed by the Committee as above, which are impugned herein. Since the petitioners seek an opportunity of personal hearing before the authority as above, the Joint Collector, Ranga Reddy District, shall entertain the applications of the petitioners for adjudication of their grievance and shall also fix the date to hear the counsel for the petitioners and shall re-examine the matter and pass appropriate orders in accordance with law by scrutinizing the applications of the individuals with reference to the conditions under the G.O., aforesaid and issue appropriate directions as he deems necessary.

The petitioners shall file appropriate applications as mentioned above before the Joint Collector, Ranga Reddy District on or before 11.08.2015. The Joint Collector shall thereafter follow the directions as above and pass appropriate orders expeditiously, preferably by the end of August, 2015.

Status quo existing as on today as regards the land claimed by the petitioners shall be maintained by the petitioners as well as respondents till the Joint Collector considers and passes appropriate orders, as directed above.

The Writ Petition is accordingly disposed of. No costs.

Miscellaneous petitions if any pending in this writ petition shall stand closed.

Though the District Collector is impleaded as 2nd respondent herein, since the direction is issued to the Joint Collector, Ranga Reddy District, the Registry shall mark a copy of this order to the Joint Collector, Ranga Reddy District.”

In view of the same, the petitioners in this case are also accordingly permitted to approach the Joint Collector on or before 16.11.2015.

Learned Government Pleader states that many of the petitioners had approached the Joint Collector earlier questioning the same rejection order and their representation was also rejected by the Joint Collector.

In the above facts and circumstances, it shall be open for the Joint Collector to examine the request of the petitioners, if he has not already dealt with the same, and pass appropriate orders,

as directed above.

The Writ Petition is accordingly disposed of reiterating the same, as in earlier writ petition, extracted above. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

07.11.2015

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