

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.35318 of 2015

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DATED : 29.10.2015

Between :

Smt. Syeda Atifa Farheen D/o.Syed Saifuddin,

Aged about 31 yrs, Occu : Home maker,

R/o.H.No.1-1-76/c, Mothinagar,

Mahabubnagar.

.. Petitioner

and

The State of Telangana,

Rep., by the Principal Secretary,

Municipal Administration and Urban Development

A.P. Secretariat Buildings, Hyderabad & 2 others.

.. Respondents

This court made the following :

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ORDER :

This writ petition is filed for a mandamus declaring the action of the 2nd respondent in not regularizing the petitioner's plot No.36 in Sy.No.66/2, of Rayadurg Navkhalsa Village, Serlingampally Mandal, Ranga Reddy District, under Layout Regularization Scheme, as illegal, arbitrary and violation of Articles 14, 21 and 300-A of the Constitution of India, and for a consequential direction to the 2nd respondent to regularize the petitioner's above mentioned plot.

2. When the matter is taken up for consideration, the learned counsel for the petitioner as well as the learned Standing Counsel representing the respondent-Municipal Corporation submitted that this writ petition is covered by the decision rendered by this Court in W.P.No.34726 of 2014 dated 24.12.2014.

3. The operative portion of the order reads as under :

“Therefore, the Writ Petition is allowed; the action of the 2nd respondent in not regularizing the plot of the petitioner under the Layout Regularization Scheme notified vide G.O.Ms.No.902, Municipal Administration and Urban Development (M1) Department dt.31.12.2007 (Andhra Pradesh Regulation of Unapproved and illegal Layout Rules, 2007) is declared as illegal, arbitrary and violative of Article 14 and 300-A of the Constitution of India; the intimation in Lr.No.G/1785/LRS/Cir-XI/WZ/2012 dt.15.03.2013 is set aside; consequently, direction is issued to the respondents 2-4 to regularize the plot of the petitioner under the above scheme within a period of one month from the date of receipt of a copy of this order. The 2nd respondent shall also pay costs of Rs.2,000/- to the petitioner for wilfully and for wrong reasons rejecting petitioner's application for regularization and thereby acting illegally and arbitrarily.”

4. For the reasons alike and following the above said writ petition, this writ petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

29th October, 2015.

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