

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23072 of 2008

ORDER:

Petitioners complain against inaction of fourth respondent in considering and disposing of representation dated 30.04.2007, taking steps to induct petitioners into possession of house plots assigned to petitioners vide proceedings Rc.No.A/599/2002 dated 28.02.2004 in Sy.Nos.75/2B and 76/1A & 2 of Chinna Venkannapalem village as illegal and unconstitutional.

2. The fourth respondent filed counter affidavit dated 17.12.2008. Fourth respondent does not dispute the assignment of house plots in favour of petitioners. The reply of fourth respondent is that the petitioners have committed breach of conditions of assignment, particularly, not constructing the houses within the time stipulated by the assignment order and therefore, the fourth respondent alleges to have issued show cause notice dated 28.08.2008 and pass resumption order No.Rc.No.A/599/02 dated 15.09.2008.

3. On 02.09.2016, at request of fourth respondent time has been granted till date, firstly, to place before the Court the present status of assigned land and also whether any constructions have been made by assignees of house plots in Sy.Nos.75/2B and 76/1A & 2 and produce proof of serving show cause notice dated 28.08.2009 and/or order of resumption dated 15.09.2008.

4. The Assistant Government Pleader, on instructions, submits that the land in Sy.Nos.75/2B and 76/1A & 2 remains in tact as on date and on instructions from fourth respondent submits that if the petitioners make representation afresh for confirmation of assignment and delivery of vacant plots, the fourth respondent will consider and pass appropriate orders within two (2) months from the date of representation.

5. The statement is placed on record and the fourth respondent is relieved of satisfying the Court that the resumption order is passed after following the procedure. I am satisfied the writ petition can be disposed of by this order:

Petitioners are given liberty to represent to fourth respondent for confirmation of assignment and delivery of vacant plots within four (4) weeks from receipt of copy of this order. The fourth respondent is directed to consider the requests of petitioners without reference to resumption order dated 15.09.2008 within two (2) months from the date of receipt of representation. Interim order dated 22.10.2008 is directed to be maintained till a decision is taken and communicated to petitioners.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

September 21, 2016
DSK

S. V. BHATT, J