

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38605 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent Nos.2 and 3 in not giving an opportunity to the petitioner for paying sale consideration of Rs.15,17,280/- in equal monthly instalments for executing conveyance deed with respect to Plot No.5 admeasuring 45.96 sq.yards situated at Afzalgunj, Hyderabad as illegal and arbitrary and consequently, to direct respondent Nos.2 and 3 to amend the relevant terms of sale memo No.12173/J5/1970, dated 9.9.2016, thereby giving him an opportunity of paying the said sale consideration in equal monthly instalments for execution of the conveyance deed with respect to Plot No.5 admeasuring 45.96 sq.yards situated at Afzal Gunz, Hyderabad.

2. It is the case of the petitioner that he has been in possession and enjoyment of the aforementioned premises having inherited the same from his father, who was in possession and enjoyment of the same from the year 1957 to 1996 as a tenant. While so, respondent Nos.2 and 3 filed cases for eviction. The petitioner asked the authorities concerned to drop the eviction proceedings by giving him an opportunity to pay the sale consideration in respect of the said premises. Respondent No.3 issued sale memo, dated 9.9.2016, demanding the petitioner to pay Rs.15,17,280/- towards cost of the said premises in lump sum within 30 days from the date of receipt of the said memo. Then, the petitioner made a representation on 2.11.2016 requesting the respondents to

grant permission for payment of sale consideration in 12 equal monthly instalments, but the respondents have not responded.

3. Heard and perused the material available on record.

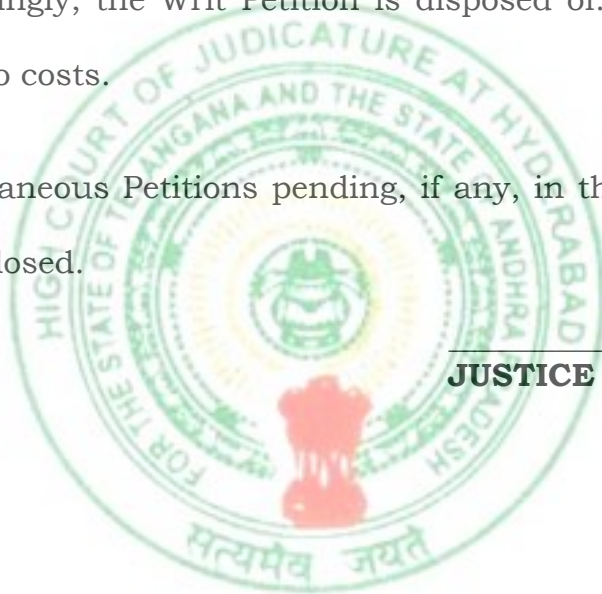
4. Considering the facts and circumstances of the case and the grievance of the petitioner, the respondents are directed to dispose of the representation, dated 2.11.2016, of the petitioner within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

9.11.2016
AMD

JUSTICE RAJA ELANGO



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Date: 9.11.2016

AMD