

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38334 of 2016

ORDER:

1. This writ petition is filed under Article 226 of the Constitution of India aggrieved over the inaction of the 3rd respondent in not registering the sale deed in favour of the petitioner in respect of vacant site admeasuring 854 sq. yards in T.S.No.781/A/1B (781), situated at Suryaraopet, Vijayawada, Krishna District.

2. It is stated in the affidavit that the petitioner participated in auction dated 14.2.2002 and became the highest bidder in respect of the above vacant site, for a sum of Rs.62,55,550/-. The petitioner paid a sum of Rs.5 lakhs towards auction deposit and paid another sum of Rs.16 lakhs towards 1/3rd of the bid amount of Rs.21 lakhs including the auction deposit. The sale of the said site was confirmed in favour of the petitioner under the proceedings of the 2nd respondent dated 26.4.2002. It is the grievance of the petitioner that even though the entire bid amount was paid, the 3rd respondent did not execute the sale deed in favour of the petitioner in spite of repeated demands.

3. The learned Standing Counsel for the 3rd respondent submitted that even though the auction was conducted in the year 2002, the petitioner has not approached the respondents immediately, and in the year 2013, the petitioner approached them and further, there is a dispute in connection with the auction amount and the interest accrued thereon. He further submitted that the representation made by the petitioner on 14.7.2016 will be considered in accordance with law and in view of the modified order dated 25.11.2006 passed by this Court in W.P.No.11812 of 2005.

4. Considering the above submission, without expressing any opinion on merits, the Writ Petition is disposed of with the following directions:

“The 2nd respondent is directed to pass appropriate orders on the representation made by the petitioner dated 14.7.2016, within a period of one month from the date of receipt of a copy of this order. The 3rd respondent is directed to approach the 2nd respondent, if there is any grievance against the petitioner.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Date: 8th November, 2016
Nn



RAJA ELANGO, J

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