

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.30155 of 2012

ORDER:

1. This writ petition was filed challenging the action of respondents 2 and 3 in not considering the representation of the petitioner association dated 18.02.2012 to release the mortgaged flat No.101 in its favour towards recovery of loss sustained by them.
2. Learned Standing Counsel for the 2nd respondent submitted that the 4th respondent deviated from the sanctioned plan while making constructions and till those deviations are rectified, they will not release the mortgaged flat.
3. The relief sought for in the present writ petition cannot be granted in exercise of powers conferred under Article 226 of the Constitution of India. If the petitioner association has any grievance, it has to take appropriate proceedings. At this stage, the learned Counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to take appropriate proceedings.
4. Giving such liberty, the permission is granted to the petitioner to withdraw the writ petition and 60 days time is granted for the petitioner to take appropriate proceedings. Till such time, the 2nd respondent shall not release the mortgaged flat in favour of the 4th respondent.

5. The Writ Petition is accordingly dismissed as withdrawn. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

15-11-2016
Gsn

