

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39521 OF 2016

DATED : 16.11.2016

Between :

Thatikonda Sanyasi Setty, S/o.late Raja Rao,
Aged: about 76 years, Occ: Business,
R/o.Door No.3-10-8, Visakhapatnam District.

...

Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & another

...

Respondents



This court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.39521 of 2016****ORDER :**

This writ petition is filed praying the following relief:

“.... to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering or disposing of petitioner representation dated 31.12.2014 as illegal, arbitrary, unjust, malafide against the rights guaranteed under Article 300-A of Constitution of India apart from violation of principles of natural justice and consequently direct the 2nd respondent to dispose of petitioner representation dated 31.12.2014 and to pass such order or orders as this Honourable Court may deem fit and proper in the interest of justice.”

The facts on record as averred in the affidavit would disclose that the petitioner claims as the owner and in possession of land to an extent of Ac.2.54 ½ cents in Sy.No.119/11P and 119/13P of Pendurthy Village and Mandal, Visakhapatnam District. The respondent-Urban Development Authority granted lay-out permission in the year 2004 in favour of M/s.Janachaitanya Housing Private Limited. Alleging that such lay-out permission is illegally granted without due verification of the ownership and other records, a representation is said to have been submitted by the petitioner on 31.12.2014 and the said representation is yet to be disposed of, this writ petition is filed.

As rightly submitted by the learned Standing Counsel for 2nd respondent, a lay-out permission was granted as early as in the year 2004. If the petitioner disputes the ownership and title claim of M/s.Janachaitanya Housing Private Limited, he has to work out civil remedies as available in law. This Court cannot go into the disputed questions of fact. More so, the person in whose favour lay-out permission was granted is also not made a party.

Accordingly, this writ petition is dismissed, leaving it open to the petitioner to work out civil remedies as available in law, on claim of ownership and title.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

16th November 2016.

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P. NAVEEN RAO, J

