

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.4676 OF 2016

ORDER

The prayer of the petitioner in this case is as under:

‘... to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus or any other Writ declaring the inaction of the respondents particularly 3rd respondent in not handing over 10% excessive land in extent Ac.6.43 Cents in Survey No. 5/1 situated at Ravvalapalem Village, Madhuravada Mandal, Visakhapatnam District which was taken for bearing L.P.No.26/91 BLP No.30/89 under Rules Regulation of Visakhapatnam Urban Development Authority has been approved which was kept as security infavour of 3rd respondent and same as illegal, arbitrary, in violation of Articles 14, 21 and 300A of the Constitution of India and consequently direct the respondents forthwith release our land as per Rc.No.3467/88-G4 dated 02-08-1991 and also to take immediately action on petitioner representation dated 15-09-2015 and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.’

Sri Sravan Kumar Naidana, learned counsel for the petitioners, would state that the petitioners' representation dated 15.09.2015 addressed to the Visakhapatnam Urban Development Authority, Visakhapatnam, is still pending consideration.

Sri S.Lakshminarayana Reddy, learned standing counsel for Visakhapatnam Municipal Corporation, the fourth respondent, states that the Corporation has no role to play in the matter.

As the authority is yet to apply its mind to the petitioners' representation and take a decision in the matter, this Court sees no purpose served in entertaining and adjudicating this writ petition at this stage.

The writ petition is disposed of directing the Visakhapatnam Urban Development Authority to consider the petitioners' representation dated 15.09.2015 and take a decision in the matter. In the event the petitioners'

request is rejected, the reasons therefor shall be recorded and duly communicated to them. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

23rd MARCH, 2016

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