

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.2827 of 2016

-
01.02.2016

Between:

Smt.L.Lalitha

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.D.Kanaka Sundar

Counsel for respondent No.1: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.2 to 4: --

The Court made the following:

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ORDER:

The petitioner, who claims to be a member of respondent No.3 society, filed this writ petition with a vague grievance that respondent No.4, who has sold the society's properties to third parties, is seeking regularization of the plots and also the buildings unauthorizedly constructed thereon under Layout Regularization Scheme (LRS) and Building Regularization Scheme (BRS) before respondent No.2.

A perusal of the affidavit filed by the petitioner shows that the pleadings are very vague and generic. However, to the extent this Court could decipher from the pleadings and the submissions of the learned counsel appearing for her, it appears that she is a member of respondent No.3 society, which has collected some money from her, promising allotment of a house plot and that respondent No.4 has sold the properties belonging to respondent No.3 society to third parties and approached respondent No.2 for regularization under LRS and BRS. On the petitioner's own showing, so far no plot has been allotted to her by respondent No.3 society. Thus, as on today, her right, if any, over any part of the property of respondent No.3 society remains inchoate. Therefore, the petitioner cannot avail any legal remedy in respect of the property, over which she has no right in present. Moreover, the plea of the petitioner that respondent No.4, who has sold the properties of respondent No.3 society to third parties, has approached respondent No.2 for regularization under BRS, sounds unconvincing as having sold the property, respondent No.4 ceased to have any right or interest over the property and consequently, he may not have any necessity to apply to respondent No.2 for regularization under LRS and BRS and that it is the third party purchasers, who may have to approach respondent No.2. The petitioner failed to give any details of the persons, who have approached respondent No.2 for

regularization.

On the above facts, I am of the opinion that if at all the petitioner has any interest over the property in question, she can only approach respondent No.2, with a request to him, not to regularize any of the plots belonging to respondent No.3 society. It is needless to observe that if such objections are filed, respondent No.2 shall consider the same before taking any decision on the applications filed under LRS and BRS.

Subject to the above observations, the Writ Petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.3544 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

01st February, 2016

GHN