

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos. 36199 and 36597 of 2016

COMMON ORDER:

The issue raised in these writ petitions being one and the same, they are disposed of by this common order.

2. Heard learned counsel for the petitioners; learned Government Pleader for Municipal Administration (AP) appearing for respondent No.1; Sri P.Jagadish Chandra Prasad, learned Standing Counsel for respondent No.2; and Sri S.Lakshmi Narayana Reddy, learned Standing Counsel for respondent No.3-Greater Visakhapatnam Municipal Corporation.

3. The case of the petitioners is that they are the absolute owners and possessors of the lands admeasuring 971.66 Square Yards in Survey No.305/6 situated at Madhurawada Village, Chinagadili Mandal, Visakhapatnam District and admeasuring 965.55 Square Yards in Survey No.305/6 situated at Madhurawada Village, Chinagadili Mandal, Visakhapatnam District respectively, having purchased the same from its lawful owner Smt.Varalaxmi through registered sale deed. The Hindustan Shipyard Workers Co-operative Housing Building Society Limited, respondent No.4, had included the lands of the petitioners in the lay out plan submitted by them in an extent of Ac.24.48 cents without there being any right and authority. The second respondent had sanctioned the subject lay out plan without verification of records thereby affecting the rights of the petitioners.

Bringing the same to the notice of the second respondent, petitioners submitted their grievance through applications dated 01.09.2014 to take appropriate action and delete the lands of the petitioners from the subject lay out. However, the said representations have not been disposed of. Questioning the action of the respondents, the present writ petitions are filed.

4. Learned counsel for the petitioners submits that in similar circumstances when an application was made by another individual, the second respondent had in fact taken into consideration of the complaint and rectified the mistake by proceedings dated 25.07.2016.

5. Sri P.Jagadeesh Chandra Pradesh, learned counsel for the second respondent, submits that the second respondent is not concerned with either identity of the properties or of the title dispute. However, considering the nature of the **complaints**, which the petitioners have made, the second respondent shall **consider** the same and after enquiry pass necessary orders expeditiously.

6. Recording the aforesaid submission of the learned counsel for second respondent, without expressing any opinion on merits of these writ petitions, the writ petitions are disposed of directing the second respondent to consider the representation of the petitioners and after enquiry pass appropriate orders thereon within a period of 12 weeks from today.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

JUSTICE CHALLA KODANDA RAM

October 27, 2016
LMV

