

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.38816 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondent Nos.3 and 5 in seeking to demolish the House bearing No.5-5-35/304/21/A/1, Saibaba Colony, Phase.I & II, Kukatpally, Hyderabad, pending consideration of the application for regularisation of the said house in G.O.Ms.No.59 Revenue (Assignment.1) Department, dated 30.12.2014 as illegal, arbitrary, unconstitutional and violation of Article 300A of the Constitution of India and consequently direct the respondents not to demolish the petitioner's H.No.5-5-35/304/21/A/1, Saibaba Colony, Phase.I & II, Kukatpally, Hyderabad.”

3. The averments in the affidavit filed in support of the writ petition would show that the petitioner occupied land admeasuring 200 square yards in Sy.No.483 situated in Saibaba Colony, Phase – I & II Kukatpally, Hyderabad and constructed a house consisting of two rooms and Hall. The said house was assessed to Tax by the GHMC and the petitioner has been paying property tax regularly. He also obtained electric connection and has been paying considerable

charges apart from constructing a compound wall. Subsequent to issuance of G.O.Ms.No.59, Revenue (Assign.I) Department, dated 30.12.2014, the petitioner claims to have made an application seeking regularisation of the house enclosing a Demand Draft of Rs.1,87,500/- drawn on Andhra Bank, which was accepted by both the respondents. He also claims to have paid an amount of Rs.3,75,000/- on 17.11.2015 for regularisation of the house. It is his case that till date, his application is not considered.

4. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the respondents to pass appropriate orders on the application made by him.

5. Learned Government Pleader for Revenue submits that the respondent authorities may be directed to dispose of the application, if it is made in accordance with law and if it is still pending, at the earliest.

6. Having regard to the submissions made, the Writ Petition is disposed of directing the 3rd respondent – District Collector, Medchal at Keesara, to dispose of the application made by the petitioner, as early as possible preferably within a period of eight (08) weeks from the date of receipt of a copy of this order, in accordance with law. *Status quo* as on today shall be maintained by both parties in respect of the property in dispute with regard to possession, for a period of eight (08) weeks from today.

Consequently, Miscellaneous Petitions, if any, pending in this
Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:10.11.2016

Note: Furnish CC within two (02) days.

(B/O)

INL

