

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.14792 of 2016

ORDER:

Heard Sri V.V.N. Narayana Rao, learned counsel for the petitioner, and Sri P. Jagadeesh Chandra Prasad, learned Standing Counsel for the Visakhapatnam Urban Development Authority.

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 declaring the action of the 2nd respondent in not allotting the alternative site in Visakhapatnam City lieu of Plot No.1 with an extent of 515 Sq. yards in Sy.No.6/P of Madhavadara Village, Visakhapatnam is illegal, arbitrary and in violation of. Articles 14 and 300-A of the Constitution of India and consequently direct the 2nd respondent to allot the alternative site in Visakhapatnam City in lieu of Plot No.1 with an extent of 515 Sq. yards in Sy.No.6/P of Madhavadara Village, Visakhapatnam forthwith and pass such other order or orders as this Hon'ble Court deemed fit and proper in the circumstances of the case.”

As the petitioner could not be given the plot which was auctioned in his favour owing to the orders passed by this Court in another writ petition and his application for allotment of an alternative site also could not be acted upon in relation to a particular identified plot as it was situated in a layout open space, it is for the authority concerned to apply its mind to the plight of the petitioner and take appropriate action. At this stage, no interference is warranted by this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution.

The writ petition is accordingly disposed of permitting the petitioner to make a detailed representation setting out his grievance to the Visakhapatnam Urban Development Authority. Upon receipt of such representation, the authority shall consider the same and take appropriate action thereon in accordance with law. This exercise shall be completed expeditiously and in any event, not later than three weeks from the date of receipt of representation from the petitioner.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:27.04.2016

Note: Furnish C.C. in two days.

(B/o) GJ/PGS