

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.1863 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 a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the Respondents in not considering the representation of the petitioner dated 09-03-2013 as illegal, arbitrary and violation of Principles of Natural Justice and violation of Articles 14, 16, 21 and 300A of the Constitution of India and consequently direct the Respondents 1 to 3 to allot the land an extent of Ac.30-00 on payment of nominal market value to the petitioners society members.”

3. The grievance of the petitioner is that though a representation was made in the year 2013 seeking allotment of house sites to the members of the petitioner-society, on payment of nominal market value, as per the norms of the Government, no orders are passed till date.

4. A counter came to be filed stating that the lands, which the petitioner is claiming, are falling within the urban limits of Visakhapatnam; that in view of bifurcation, development activities

are taken up in and around Visakhapatnam Head Quarters; that assignment of house sites is banned in ten urban mandals by the Government vide G.O.Rt.No.136 Revenue (U & IAY) Department dated 08.05.2016; and as such, the petitioner society may guide its members to apply for sanction of houses through mee-seva whenever the Government announces housing schemes in future, in which event their request will be considered subject to their eligibility and availability.

5. Having regard to the above, since the allotment of house sites is not permissible within the urban limits in view of the G.O., referred to above, the request of the petitioner cannot be accepted.

6. Accordingly, the Writ Petition is dismissed. However, the petitioner society is at liberty to make an application seeking allotment of house sites elsewhere, in which event the same may be considered subject to eligibility and availability.

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:08.12.2016
INL