

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.25749 of 2013

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the grievance of the writ petitioner is that the respondents are not registering the Exchange Deed, dated 13.05.1992, and are also not considering the representation, dated 08.03.2013, and not taking any decision on the said representation submitted by the petitioner to the 2nd respondent/Armoor Municipality, pursuant to proceedings No.333/91-B (PTS), dated 08.10.1991, issued by the 3rd respondent.

2. I have heard the submissions of Sri K.Venumadhav, the learned counsel for the petitioner and of the learned Standing Counsel for Armoor Municipality, the 2nd respondent. I have perused the material record.

3. The facts of the case, in a nutshell, are as follows:-

There was an exchange of properties between the petitioner and the then Gram Panchayat, Armoor. The Gram Panchayat, Armoor, was permitted to exchange its land in L.P.No.18/72, admeasuring 388 square yards with the land of the petitioner in survey number 106/1, admeasuring 1100 square yards for construction of Pump House at Mamidipally village. Subsequent thereto, a Deed of Exchange was prepared on 13.05.1992. The petitioner was intimated by the District Panchayat Officer, Nizamabad, by letter, dated 15.09.2012, that the Gram Panchayat, Armoor, has been converted into Municipal Council in the year 2005 and further advised the petitioner to approach the Commissioner, Municipal Council, Armoor, for redressal of his grievance, if any. Thereafter, for redressal of his

grievance, the petitioner made a representation to the Commissioner, Municipal Council, Armoor. As his grievance was not redressed and no action is taken on his representation, this writ petition is filed.

4. At the hearing, the learned counsel for the petitioner would submit that if the representation of the petitioner is considered and if the Deed of Exchange is duly registered, the grievance of the petitioner would be redressed. He, therefore, prayed for giving a direction accordingly to the Municipal Council, Armoor, and the 2nd respondent, the Commissioner of Armoor Municipality.

5. The learned Standing Counsel for the 2nd respondent/Armoor Municipality endorses the said submission.

6. Recording the submissions of both the learned counsel, this writ petition is disposed of directing the respondents to consider and pass appropriate orders on the representation of the petitioner, dated 08.03.2013, in strict accordance with the procedure established by law and take steps for registration of the Deed of Exchange as required under facts and in law and give a quietus to the //s once and for all. The respondents shall complete the whole exercise in this regard within a period of six (06) weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M.Seetharama Murti, J

28th April, 2017
Bvv