

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Petition No.839 of 2012

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This writ petition is filed seeking a mandamus to declare the action of the Institution of Andhra Pradesh Upa Lokayukta, Hyderabad, in registering complaint No.1963/2010/B2 filed by the 5th respondent, and in calling for a report and explanation from respondents 1 to 3 in allotting land measuring Ac.1.00 in Survey No.93/AA situated at Srirangapur Village, Pebberu Mandal, Mahabubnagar District in favour of the petitioner by the 4th respondent-Board vide their proceedings dated 11.05.2011, as arbitrary and illegal.

The institution of Lokayukta and the UPA Lokayukta are governed by the provisions of the A.P.Lokayukta and UPA Lokayukta Act, 1983, under which Act they were created. Sri T.Babuji, learned counsel for the 5th respondent, has not been able to show any provision in the said Act which confers jurisdiction on the Institutions of Lokayukta and the Upa Lokayukta to grant the relief sought for in the complaint. Learned Counsel would fairly state that the relief sought for in the complaint may well be beyond the jurisdiction of the institutions of Lokayukta and Upa Lokayukta; and, instead of keeping the writ petition pending on the file of this Court, it would suffice if this Court were to grant liberty to the 5th respondent to avail his legal remedies including by way of a writ petition before the High Court, seeking the relief sought for in the application filed before the Lokayukta.

While granting liberty to the 5th respondent to avail his legal remedies, complaint No.1963/2010/B2 filed by the 5th respondent, before the Lokayukta, is quashed.

The Writ Appeal is, accordingly, allowed. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

15th February, 2017
JSU

(DR. SHAMEEM AKTHER, J)



THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER



Writ Petition No.839 of 2012

Date: 15.02.2017

JSU