

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.7316 of 2012

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of the 2nd respondent in issuing the Endorsement Roc.No.C1/LRS/88/2012-261, dated 21.02.2012, as illegal and arbitrary and contrary to the rules contained in G.O.Ms.(M.A.).No.902, dated 31.12.2007 and set aside the same and further direct the 2nd respondent to process the application submitted by the petitioner in relation to Plot No.92, admeasuring 271.70 square meters in R.S.Nos.446 to 449 (old) of Waddepally (village), Warangal Taluq, Nakkalagutta, Hanmakonda-Warangal, Warangal District, and regularize the same.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner purchased Plot No.92, admeasuring 271.70 square meters in R.S.Nos.446 to 449 (old) of Waddepally (village), HNK Taluq, Nakkalagutta, Hanmakonda – Warangal, Warangal District, from the Hanmakonda Cooperative Housing Society Ltd., and that a layout was prepared and a letter of allotment was issued in favour of the petitioner, dated 30.03.1984, in relation to Plot No.92, admeasuring 325 square yards and that the petitioner has been in possession of the said property by virtue of the said allotment and that since the matter was pending before the Urban Land Ceiling, the sale deed could not have been executed and that the plots of

almost all the members have been regularized, which means the entire layout has been regularized except the plot of the petitioner.

The main grievance of the petitioner is that the petitioner has submitted an application for regularization, wherein the said application was rejected vide impugned Endorsement, dated 21.02.2012. Challenging the same, the present writ petition is filed.

From the perusal of the impugned Endorsement, dated 21.02.2012, passed by the Vice Chairman of Kakatiya Urban Development Authority, Warangal, it is evident that the proposals submitted by the petitioner for regularization of unauthorized layout plot in the subject property was rejected on the ground that there is no registered Sale Deed.

When the matter came up hearing, learned counsel for the respondents submitted that if the petitioner submits a fresh representation for regularization of the subject property of the petitioner along with all the required documents to the respondent authorities, they will pass appropriate orders on the same.

Having regard to the same, the petitioner is directed to file a fresh representation for regularization of the subject property of the petitioner by enclosing all the required documents to the respondent authorities on or before 30.03.2017 and on such representation, the respondent authorities are directed to consider the same and pass appropriate orders, as expeditiously as possible, in accordance with law. Until then, the respondents are directed not to proceed against the petitioner herein.

With the above observation, the Writ Petition is disposed of.
No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 20th February, 2017

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