

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18849 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioners seeking to declare the inaction of the respondents 2 and 3 in releasing the final layout inspite of completing all the development works pursuant to issuance of draft layout in respect of the land admeasuring Acs.14-13 gts., forming part of Sy.No.334, situated at Aushapur village, Ghatkesar Mandal, Medchal-Malkajgiri District, Hyderabad, as illegal and arbitrary and consequently, direct the respondents 2 and 3 to release the final approved layout in respect of the above said layout.

Heard and perused the material available on record.

The case of the petitioners is that they purchased the above said land through various registered sale deeds for valuable consideration and that they have applied for joint development of the said land by paying requisite fees and the 2nd respondent approved the draft layout. Thereafter, the petitioners submitted representations for development of the amenities in terms of the draft layout and requested the 2nd respondent to release the final layout including release of the mortgaged plots. However, the 2nd respondent did not consider the representations of the petitioners so far, and did not release the final layout, without any reason.

Though various grounds are raised in the writ petition, the learned counsel for the petitioners restricts his prayer seeking a direction to the 2nd respondent for disposal of the representation made by the petitioners on 07.12.2016, at the earliest.

Learned Standing Counsel for the 2nd respondent would submit that a suitable direction may be given to the 2nd respondent to dispose of the representations of the petitioners in accordance with law.

Considering the submissions of the learned counsel for both sides, without expressing any opinion on merits, this Court is inclined to pass the following order:

The Writ Petition is disposed of directing the 3rd respondent to consider the representations submitted by the petitioners on 07.12.2016, and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order.

Miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

June 12, 2017

CTL

RAJA ELANGO, J

