

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.27668 of 2009

ORDER:

The relief sought, for in this Writ Petition, is to declare the inaction of the respondents in not according permission to the petitioner to sell the land assigned to her husband under the ex-serviceman quota, inspite of the stipulation in G.O.Ms.No.1117 dated 11.11.1993, as illegal and arbitrary.

By way of an interim order, in WPMP No.36028 of 2009 in W.P.No.27668 of 2009 dated 18.12.2009, this Court directed the respondents to consider according permission to the petitioner to sell the land of an extent of Ac.3.25 cents covered by Survey No.143/2P of Chinagadili Village, Visakhapatnam District, said to have been assigned in favour of the husband of the petitioner, and to pass appropriate orders within a period of four weeks from the date of receipt of a copy the said order.

As the respondents have already been directed to consider the petitioner's case, and to pass an order within a specified time frame, no further orders need be passed in this Writ Petition for, if the petitioner's request had been acceded to, then the cause in the Writ Petition would not survive necessitating any further adjudication by this Court. On the other hand, if her request has been rejected, then the petitioner can, at best, challenge the rejection order in

appropriate legal proceedings. Suffice it, therefore, to make the interim order, the final order in the Writ Petition.

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

RAMESH RANGANATHAN, ACJ.

Date:13.10.2017.
cs

