

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.29450 OF 2017

DATED : 01.09.2017

Between :

M/s.Likitha's IAS Academy,
Rep., by its CEO and Chairman & Secretary,'
Sri Chaitanya Institute of Medical Sciences &
Medical College, Likitha Rao,
Aged 27 yrs, Office at UNI Building
No.10-11-1200, II Floor,
A.C.Guards, Masab Tank Road,
Hyderabad & others.

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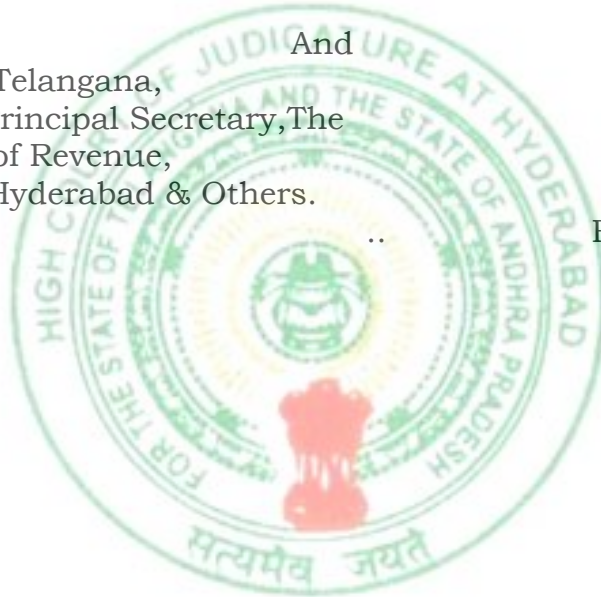
Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,The
Department of Revenue,
Secretariat, Hyderabad & Others.

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Respondents



This court made the following :

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ORDER :

Heard.

2. This writ petition is filed praying to grant direction to the respondents 1 to 4 to consider the representation of the petitioners dated 03.07.2016 and re-allot the land in the premises bearing No.10-1-1200 admeasuring 1604 Square yards situated in A.C.Guards, Masab Tank, Hyderabad, to the petitioners

3. Learned counsel for the petitioners submit that the petitioners are ready to pay the rents as per the Government rules.

4. In the affidavit filed in support of the writ petition there is no description of the status of the petitioners i.e., whether petitioners are running any charitable organization and is not a profit oriented organization. However, copy of the representation dated 03.07.2016 issued in the name of "Support Charity Organization" is enclosed and in the said representation the Organization represents that it intends to establish a medical college and a hospital. Therefore, it requires land for establishment of hospital. This representation also does not disclose the status of the petitioner as a Charity organization.

5. Be that as it may, the averments would disclose that the said land is allotted to United News of India, (respondents 5 and 6). Petitioners now allege that this organization is misusing the allotment given, undertook construction of commercial complex and leased out the subject premises and collecting huge rents, violating the terms of allotment of land. Therefore, seeks

cancellation of said allotment and in turn to allot the subject land to the petitioners.

6. If the grievance of the petitioners is against mis-use of land allotted to respondents 5 and 6, the remedy may be in the form of public interest litigation bringing to the notice of the Court about such illegal utilization of public property for private purpose, if what is contended is true.

7. Petitioners have specific interest in the subject property; they seek allotment of the very same land to establish private hospital. As the claim is for allotment for establishment of private hospital in the process of establishing private medical college, it cannot be said that the claim is for public purpose. Public property can not be given to any private individual or Organization without following the due process.

8. Even assuming that the earlier allotment given in favour of respondents 5 and 6 is required to be cancelled but flowing there from no mandate as sought for can be granted. Furthermore, no such allotment can be granted even before the earlier allotment granted to respondents 5 and 6 is cancelled by following the due process. Therefore, the writ petition in the present form is not maintainable and is liable to be dismissed.

9. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

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

01st September 2017
Rds

P.NAVEEN RAO,J