

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

W.P.M.P.No.46979 OF 2016
IN/AND
WRIT PETITION NO.2354 OF 2016

COMMON ORDER:

W.P.M.P.No.46979 OF 2016

This miscellaneous petition is filed under Section 16-A of Writ Rules to implead proposed Respondent Nos.5 & 6 as proper and necessary parties.

W.P.No.2354 of 2016 is filed for limited relief of seeking direction against the respondents to consider petitioner application for assignment of Govt Land in premises bearing No:6-3-252/37/64 Ramakrishna Nagar Erramanzil Colony Hyderabad dated: 18-1-2017. When the petitioner is seeking a direction against the respondent for assignment of land, the third party, who allegedly disconnected electricity connection and water connection are not necessary parties to the writ petition. If, for any reason, those amenities are disconnected or removed, the remedy available to the petitioner is elsewhere, but not in the writ petition. Therefore, the proposed parties are not proper and necessary parties to this petition, in view of limited prayer claimed in the writ petition. Hence, I find no ground to implead respondents 5 & 6 as proper and necessary parties to this writ petition and this miscellaneous petition is liable to be dismissed.

Accordingly, W.P.M.P.No.46979 OF 2016 is dismissed.

W.P NO.2354 OF 2016

This petition is filed under Article 226 of the Constitution of India, to direct the respondents to consider petitioner's application for assignment of Govt Land on which the petitioner constructed

house bearing No:6-3-252/37/64 Ramakrishna Nagar Erramanzil Colony Hyderabad dated: 18-1-2017.

It is alleged that, this petitioner is in possession and enjoyment of the above said property since 30 years and that the said house was constructed in an extent of 124 sq.yds in the land belonging to the government. Learned counsel for the petitioner also contended that, the petitioner obtained Aadhar Card and Gas Connection at the said address and the Government issued G.O.Ms.No.58 dated 30.12.2014 to regularise the unobjectionable land and surplus land under Urban Land Ceiling to an extent upto 125 sq.yds to the poor families at free of cost. As the petitioner is one such poor person, entitled to claim regularization of unauthorized occupation in terms of G.O.Ms.No.58 dated 30.12.2014, she submitted an application for assignment of land on which the petitioner constructed house bearing No:6-3-252/37/64 Ramakrishna Nagar Erramanzil Colony Hyderabad.

It is evident from the record that, the application is pending before the respondents since 2015. Therefore, the respondents 2 to 5 are directed to dispose of the application of the petitioner dated 18.01.2015, in accordance with law, within a period of two months from the date of receipt of copy of this order.

With the above direction, the writ petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:23.04.2018

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