

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**WRIT PETITION No.2532 of 2018**

**ORDER:**

Petitioner is aggrieved by the letter dt.19-05-2017 issued by the 2<sup>nd</sup> respondent doubting the title of petitioner to the subject property and contending that the subject land is Government land.

2. Petitioner contends that the 2<sup>nd</sup> respondent had no business to decide title and that petitioner had succeeded in the litigation against the State upto the Hon'ble Supreme Court of India in Civil Appeal No.325-326 of 2015, which was decided on 13-01-2015 and therefore the impugned endorsement has to be set aside.

3. Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for 2<sup>nd</sup> respondent states on instructions that the 2<sup>nd</sup> respondent has been advised to withdraw the impugned proceedings dt.19-05-2017 and 23-11-2017 and that proceedings in that regard will be issued shortly. It is further stated that the 2<sup>nd</sup> respondent will consider petitioner's application for building permission strictly in accordance with law without reference to title to the property keeping in view of the above Supreme Court Judgment within three weeks from today and communicate his decision to the petitioner.

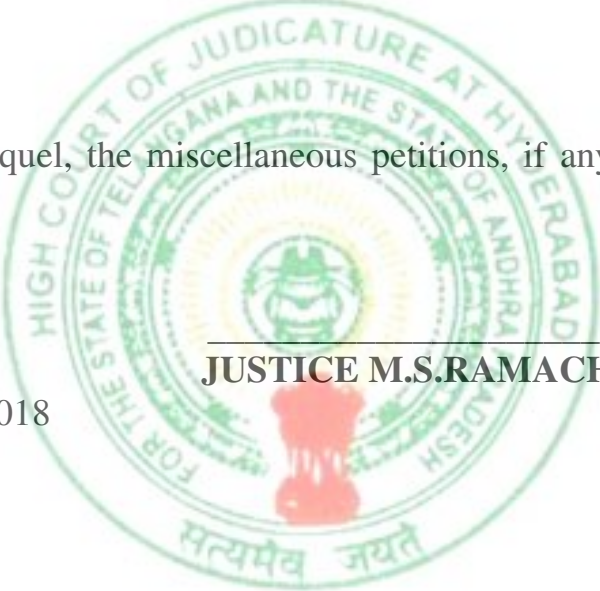
4. As regards the other objection that the Development Agreement submitted by petitioner is unregistered one, it cannot be denied that it

is beyond the purview of the 2<sup>nd</sup> respondent to go into the said aspect and the said observation is wholly without jurisdiction.

5. Therefore, without reference to title to the property and to the fact that the Development Agreement is as unregistered one, the 2<sup>nd</sup> respondent is directed to consider petitioner's application for building permission strictly in accordance with law within three (03) weeks from today and communicate his decision to the petitioner.

6. The Writ Petition is disposed of with the above directions. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.



**JUSTICE M.S.RAMACHANDRA RAO**

Date: 17-04-2018  
Vsv