

HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 5289 of 2007

ORDER:

This writ petition is filed to declare the action of the respondents in not passing orders in respect of the petitioners in terms of the Memorandum No.2738/UC.III/82-6, dated 24.12.1983 as well as G.O.Ms.No.136 Revenue (U.C.II) Department, dated 28.01.1981, as amended by G.O.Ms.No.964 dated 27.6.1983 as illegal and arbitrary and a consequential direction is sought to direct the 2nd respondent-Special Officer and Competent Authority to consider the case of the petitioner for allotment of the plots and construction of residential houses in terms of the Memo dated 24.12.1983.

In view of the specific plea taken by the 2nd respondent- Special Officer and Competent Authority under the Urban Land Ceiling Act, that as the petitioners did not fulfill the conditions stipulated in para 4 (e) i & ii of G.O.Ms.No.455 dated 29.7.2002, the petitioners cannot claim regularization in accordance with the said G.O.; and it is also specifically stated that the petitioners are not similarly situated as that of 24 persons, because the claim of 24 persons was that they applied for regularization under G.O.Ms.No.455 on the ground that the declarants/surplus land holders have executed registered sale deeds in their favour, which are in conformity with the guidelines of G.O.Ms.No.455 dated 29.7.2002.

In view of the fact that admittedly the petitioners do not have any registered sale deed executed by the declarants/surplus land

owners, no direction can be granted in the writ petition. However, the writ petition is disposed of, giving liberty to the petitioners to work out their remedies in the Civil Court in accordance with law.

Miscellaneous petitions pending if any, shall stand closed. No order as to costs.

KONGARA VIJAYA LAKSHMI, J

Date: 18/07/2018

slk



HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



WRIT PETITION No. 5289 of 2007
Date:18.7.2018

slk