

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 5701 OF 2015

ORDER :

This writ petition is filed to declare the inaction on the part of the respondents in registering the Plot bearing No. 32 [EWSH] situated at Bapuji Municipal House Site Colony, Kavali, under Integrated Development Small and Medium Town Scheme SPSR Nellore district in favour of the petitioner, as arbitrary, illegal and a consequential direction was sought to direct the respondents to execute the sale deed in favour of the petitioner.

2. The case of the petitioner is that the second respondent was offered application in the layout made by it. Pursuant to the said offer, the petitioner filed an application for allotment of the house-plot and that he was allotted Plot No. 32 and he was asked to pay the amount in two instalments along with application deposit of Rs.575/-; he has paid the first instalment on 06/4/1996 and second instalment was paid on 17/09/1996 ; and that having received the said amount, the second respondent did not register the plot in his name. The second respondent executed the sale deed in respect of other Plot Nos. 28, 29, 30 and 77 to similarly situated persons, so the petitioner submitted a representation on 17/8/2013 and the second respondent issued an endorsement in

ROC.No. 156/2013/E-1, dated 21/12/2013 stating that orders are awaited from the Government. Hence, the writ petition.

3. Heard Sri Nuthalapathi Krishna Murthy, learned counsel for the petitioner and the learned Government Pleader for the second respondent-Municipal Administration and Urban Development [A.P.].

4. The learned counsel for the petitioner submits that subsequent to the endorsement dated 21/12/2013, the petitioner made another representation dated 24/02/2014 and that the same is pending before the second respondent. However, the petitioner submits that she will file a fresh representation before the second respondent setting out his grievance.

5. The learned Government Pleader submits that the Plot was not allotted to the petitioner at all and that the Plots mentioned in the writ petition to whom registration has been done stand on a different footing.

6. In view of the same, the writ petitioner is given liberty to file a fresh representation to the second respondent and if any such representation is filed by the petitioner, the second respondent is directed to consider and dispose of the said representation and pass appropriate orders on merits and in accordance with law within eight [8] weeks thereafter.

7. The writ petition is accordingly disposed of. No order as to costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE KONGARA VIJAYA LAKSHMI



22/11/2018
I s L

NB: Furnish CC tommorrow

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

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(RESULT :: DISPOSED OF)



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