

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.5979 OF 2006

ORDER:

1. This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in not regularizing the occupation of the petitioner in an extent of 50 sq. yards in spite of the application submitted by the petitioner on 31.10.2005 as arbitrary and illegally, and consequently, to issue a direction to the respondents to regularize the occupation of the petitioner in an extent of 50 sq. yards.

2. Heard Sri K.S. Murthy, learned Counsel for the petitioner and the learned Government Pleader for Revenue.

3. It is the case of the petitioner that her father-in-law owns 50 sq. yards of open land adjacent to Gouthamnagar colony near Jubilee Hills and the petitioner's family constructed a small house in the said land and they have been living in the said house, and that the Municipal Corporation also assigned door number and that the petitioner has been paying property tax regularly. It is also the case of the petitioner that on 31.10.2005, the petitioner submitted an application to the authorities concerned seeking regularization of 50 sq. yards of land in which she had constructed a house. It was informed that the petitioner is liable to pay Rs.1,230/- per sq. yard in order to get the house regularized in her favour. The petitioner has been residing in the said house since almost four decades. The petitioner has been challenging the action of the respondents in not passing appropriate orders on the application made by her, dated 31.10.2005.

4. The learned Government Pleader for Revenue contends that the State Government has been taking various policy decisions in order to help the poor and downtrodden people and that the State Administration has been regularizing small bits of land in favour of poor section of people and that the application submitted by the petitioner is pending with the authorities.

5. I have considered the submissions made by the parties. In view of the fact that the application submitted by the petitioner is pending with the respondents-authorities concerned, this Court feels it appropriate to give a direction to the respondents to consider that application.

6. Accordingly, the respondents are directed to consider the application of the petitioner dated 31.10.2005 and pass appropriate orders, if no orders have been passed so far, within a period of eight weeks, from the date of receipt of a copy of this order. If the respondents have already passed any orders on the application of the petitioner, the said order shall be communicated to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. It is needless to say that without passing any orders on the application of the petitioner, the respondents shall not dispossess the petitioner.

7. With the above direction, the Writ petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 25th January, 2018
Nn.



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25/1/2018

Nn.