

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.42009 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“to issue a Writ of mandamus or any other writ or direction declaring the action of the the respondents 2 and 3 in not transferring and handing over possession of the land admeasuring 57 sq ft in TS No. 994 situated adjacent to the west of the petitioners building in Rangireeju street of Vizianagaram Municipality in favour of the Petitioner herein and consequently direct the respondents 2 and 3 to transfer and hand over possession of the land admeasuring 57 sq.ft in TS No. 994 situated adjacent to the west of the petitioners building in Rangireeju street of Vizianagaram Municipality in favour of the Petitioner herein.”

2. I have heard the submissions of the learned counsel for the petitioner; of the learned Government Pleader for Municipal Administration and Urban Development (AP), appearing for the 1st respondent; of learned Government Pleader for Revenue (AP) appearing for the 2nd respondent; and, of Sri N.Venkateswarlu, learned Standing Counsel, appearing for the 3rd respondent. I have perused the material record.

3. At the hearing, learned counsel for the petitioner submits that if the subject land admeasuring 57 sq.feet in T.S.No.994, which is more fully described in the writ petition, is demarcated and possession of the same is delivered to the petitioner or in the alternative, if such a course is not possible, if the land is acquired by following the procedure established by law and compensation is paid, as per market value and attendant benefits are also extended, as per law, the grievance of the writ petitioner stands

redressed. He invited the attention of this Court to the representation, dated 20.12.2014, submitted by the petitioner to the 3rd respondent and also the earlier order of this Court, dated 26.11.2009 in W.P.No.21471 of 2003.

4. Learned Standing Counsel for the Vizianagaram Municipality would submit that the representation of the petitioner aforestated will be considered and disposed of in accordance with the procedure established by law.

5. In reply, learned counsel for the petitioner endorses the said submission.

6. Having regard to the facts and submissions, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the representation aforestated of the petitioner, in strict accordance with the procedure established by law, within three (3) weeks from the date of receipt of a copy of this order and communicate the decision taken thereof to the petitioner within a week thereafter.

There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 22.11.2018
AMD

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