

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.18186 OF 2002

ORDER

This writ petition is filed seeking the following relief:

“...to issue a proper writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the orders passed by the 1st respondent dated 5.8.2000 in proceedings No.B1/B.27/F3/MD/2000 under Section 5(1) of the A.P.Public Premises (Eviction of unauthorized occupants) Act, 1968 and as confirmed by the Appellate Authority i.e., the Chief Judge, City Civil Court, Hyderabad in CMA No.205 of 2000, dated 21.8.2002 for eviction of the petitioner from the premises No.B.27/F3, Madannapet Colony, Hyderabad as illegal, arbitrary, unwarranted and contrary to Section 2 (g) of the A.P.Public Premises (Eviction of Unauthorised Occupants) Act, 1968 and the same may be set aside, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri K.K.Waghray, learned counsel appearing for the petitioner and learned Government Pleader for General Administration appearing for the respondents.

It is the case of the petitioner that he is working as Assistant Engineer in the office of the Public Health Department from 1976 and he was allotted a quarter at Madannapet Colony, Hyderabad. While so, the 1st respondent issued a notice dated 5.8.2000 for eviction of the quarter.

While admitting the writ petition on 20-09-2002, this Court granted interim stay. In pursuance of the same, the petitioner has been in continuous possession of the same.

As can be seen from the record, it appears that Madannapet Colony (Government Employees) Welfare Association had filed CCCMP No.11946 of 2004 in CCCA No.294 of 2004 and this Court *vide* order dated 7.12.2004 granted *status quo*.

Learned counsel appearing for the petitioner contends that the Madannapet Colony (Government Employees) Welfare Association is espousing the cause of allottees of the quarters and request the Government to sell the property on hire purchase basis to the allottees of the quarters and that the matter is under active consideration of the State Government.

Having regard to the said submission, this Court is of the considered view that ends of justice would be met if a direction is given to the respondents to consider the case of the petitioner along with other allottees.

Accordingly, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner along with other allottees and pass appropriate orders in accordance with law. Till such time, no coercive steps shall be taken by the respondents. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

6th November, 2018

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