

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3333 OF 2019

ORDER:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue writ or direction more particularly one in the nature of writ of mandamus declaring the action on the part of the respondents having received the entire sale consideration, in executing Conveyance Deed in respect of Plot of land admeasuring 400 sq. yards being Plot No.6 in Sy.No.81 situated in the layout of Sanjevaiah Co.Op.House Building Society, Hashmatpet, Tokatta Village, Secunderabad pursuant to the proceedings dated 19.6.2009 bearing No.R2/11186/2008 is bad, illegal, ultra vires the power of the respondents and colourable exercise of power and consequently direct the respondents to forthwith execute Conveyance Deed in respect of plot No.6 in Sy.No.81 situated in the layout of Sanjevaiah Co.Op.House Building Society, Hashmatpet, Tokatta Village, Secunderabad and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.”

2 Perusal of the record reflects that the Collector, Hyderabad District, issued Memo dated 19.06.2009, calling upon the petitioner to pay the total amount of Rs.12,95,438/- for regularisation of his rights over the subject plot. Pursuant thereto, the petitioner paid the full amount due in the year 2009 itself. Despite the same, the authorities failed to take action.

3 Sri T.S. Praveen Kumar, learned counsel representing Sri Sunil B Ganu, learned counsel for the petitioner, would point out that a similarly situated person who was asked to pay consideration for regularisation of her rights over an extent of Government land was given the benefit of such regularisation and a deed of conveyance was executed by the Government of Andhra Pradesh in her favour as long back as on 29.12.2009.

4 The deed of conveyance dated 29.12.2009, bearing document No.1725/2009, demonstrates that the lady also received a similar communication as was addressed to the petitioner and pursuant thereto she paid the amount in the year 2009, akin to the petitioner.

5 This being the situation, there are no grounds for the revenue authorities to discriminate against the petitioner, having received the sum payable by him as long back as in the year 2009.

6 The Writ Petition is accordingly disposed of directing the respondents to complete the exercise of regularising the rights of the petitioner over the subject plot expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order, be it from whatever source.

7 Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

25th February, 2019
Kvsn

