

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6851 OF 2019

ORDER:

1 The prayer of the petitioners 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 or otherwise declaring the inaction on the part of the Respondents having received the entire sale consideration in executing Conveyance Deed in respect of Plot of land admeasuring 453 sq yards being Plot No 2 in Sy.No.81 situated in the lay out of Sanjeevaiah Co.op House Building Society Hashmatpet Road, Bowenpally, Secunderabad, pursuant to the Memo dated 1962009 bearing No R2/6611/2008 is bad illegal ultra vires the powers of the Respondents and colourable exercise of power and consequently direct the respondents to forthwith execute Conveyance Deed in respect of plot of land admeasuring 453 sq yards bearing Plot No 2 in Sy.No.81 situated in the lay out of Sanjeevaiah Co-op House Building Society Hashmathpet Road, Bowenpally, Secunderabad, and pass such other relief or reliefs as this Honble Court deems fit 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.14,54,063/- for regularisation of his rights over the subject plot. Pursuant thereto, the petitioner paid the full amount due in the years 2009 and 2010 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 inform this Court that there is a typographical error in the prayer portion inasmuch as the land purchased by the petitioner admeasures 400 Sq. Yards and not 453 Sq. yards. The same is take note of. He would further 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 years 2009 and 2010.

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.

April 1, 2019.
Kvsn

JUSTICE SANJAY KUMAR

