

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 16518 of 2019

ORDER :

The grievance of the petitioner is non-consideration of his objections / representations dated 26.06.2019, 08.07.2019 and 26.07.2019 filed by him with respect to the sanction of layout over the land in Survey No. 84/1 situated at Pulimamidi Village, Kandukur Mandal, Ranga Reddy District granted in favour of Respondents 3 and 4.

A counter-affidavit was filed on behalf of the 2nd respondent - Hyderabad Metropolitan Development Authority, wherein it is stated that pursuant to the *online* Application made by Respondents 3 and 4, the 2nd respondent, after verifying the *prima facie* title, approved the open plotted layout in Survey No. 84/1 on 05.05.2019 and sent the intimation letter for payment of development charges. It is further stated that accordingly, Respondents 3 and 4 had paid charges of Rs.87,15,957/- on 09.05.2019 and executed mortgage deed in favour of the Metropolitan Commissioner, HMDA, hence, proceedings dated 22.05.2019 were released through the Executive Authority, Pulumamidi Village subject to the conditions mentioned therein. It is also stated that pursuant to another *online* Application, the open plotted layout in Survey Nos. 84/1 to an extent of 36421.47 square meters / Ac.9.00 was approved by the Metropolitan Commissioner on 21.06.2019 and intimation letter was issued to them, for which Respondents 3 and 4 paid development charges and other charges of Rs.68,22,101/- on 24.06.2019 and executed mortgage deed. It is stated, subsequently, above-dated complaints were received from

the petitioner not to grant permission in respect of the land admeasuring Ac.10.00 in Survey No. 84/1, for which, the 2nd respondent had issued the notice dated 03.08.2019 to the petitioner to submit documentary evidence in support of their claim pertains to Sy.No.84/1 situated at Pulimamidi (V), Kandukur (M), R.R. District for taking necessary action in the matter, duly marking a copy thereof to Respondents 3 and 4 to furnish their explanation also. In reply, Respondents 3 and 4 had given their explanation on 13.08.2019 with supporting documents, however, no reply is received from the petitioner till date. The file was kept on hold and final approval proceedings were not issued to Respondents 3 and 4.

Heard learned counsel for the petitioner.

So far as the stand of the 2nd respondent in the counter that no reply is received to the notice dated 03.08.2019 is concerned, it is the specific case of the petitioner that as far back as on 13.08.2019 itself, list of documents, as sought by the respondents, have been submitted under acknowledgement.

Be that as it may, as there is a duty cast on the respondents to consider the objections / representations filed by the petitioner, without going into the merits of the matter, the Writ Petition is disposed of directing the respondents to take into consideration the documents stated to have been submitted by the petitioner on 13.08.2019 and pass appropriate orders thereon within four weeks from the date of receipt of a copy of this order. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

22nd October 2019

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