

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.28589 of 2019

ORDER:

The petitioner claims to be the absolute owner and possessor of H.No.16-8-644 (admeasuring 155.21 square yards) at Malakpet, on the strength of a Settlement Deed dated 25.03.2019 executed by one Mohammed Abdul Qader. The transfer of title to the subject property, as per the averments in the writ affidavit, dates back to 1984, when A.P. Housing Board allotted the property to D. Damodar Reddy, who later on sold the property to Ghulam Hussain through Registered Document No.3509/1985 dated 20.11.1985, and thereafter Ghulam Hussain gifted the property to Mohammed Abdul through Document No.2679/2019 dated 25.03.2019, from whom the petitioner states to have obtained Settlement Deed.

It is the case of the petitioner that adjacent to his house there is an open plot in an extent of about 90 square yards, and there is no separate access to the open plot except through the petitioner's property, and therefore the plot cannot be of use to anyone except the petitioner; and hence he made a representation to the respondent-Housing Board on 17.05.2019 requesting to sell the open plot in his favour as there is no separate ingress and egress to the plot. It is also his case that there is a Government Order viz., G.O.Ms.No.6, Housing (HB-II) Department, dated 29.03.2011 which governs the procedure to be adopted in respect of such stray pieces of land, and his request/representation dated 17.05.2019 falls within the ambit of the said Government Order, however, the respondent-Housing Board has not acted upon his representation till date.

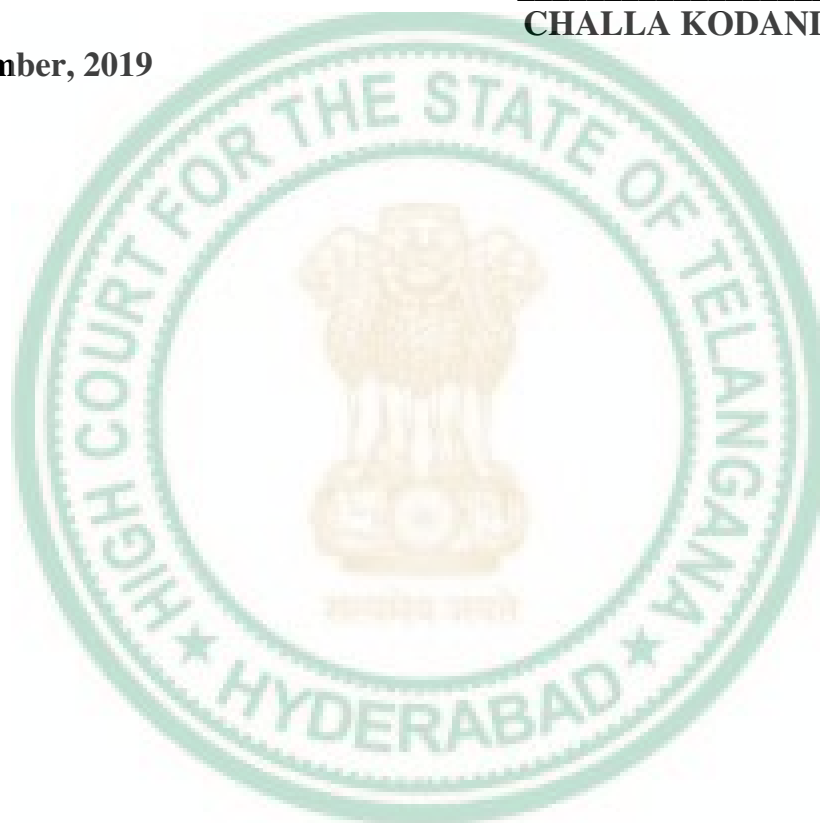
Heard learned counsel for the petitioner, and the learned Standing Counsel for the respondent Housing Board.

The grievance of the petitioner being limited to non-consideration of representation dated 17.05.2019, the writ petition is disposed of with a direction to the 3rd respondent-Executive Engineer, to consider the representation dated 17.05.2019 submitted by the petitioner, and dispose of the same strictly in accordance with the procedure prescribed in law, with in a period of six weeks from the date of receipt of a copy of this order. No costs. Miscellaneous petitions, if any pending, shall stand closed.

26th December, 2019

KSM

CHALLA KODANDA RAM, J



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