

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1322 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for respondents 2 to 4.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 4 in not considering the LRS application No. 3000004787, dt.13.12.2015 submitted by the petitioner for regularization of the Plot No.15, H.No.2-21/3, in Sy.No.238, 240, 258, and 599 situated at Old Alwal, Secunderabad under the Telangana Regularisation of Unapproved and Illegal Layout Rules, 2015 is illegal, arbitrary, contrary to the G.O.Ms.No.151, dt.02.12.2015 issued by the 1st Respondent and consequently direct the Respondents 2 to 4 to regularize the Plot No.15, H.No.2-21/3, in Sy.No.238, 240, 258 and 599 situated at Old Alwal, Secunderabad, by collecting the requisite fees under LRS Application No. 3000004787, dt.13.12.2015 of the petitioner and pass such order or other orders as this Hon'ble Court may deem fit just and proper in the interest of Justice and circumstances of the case.'

3. During the course of hearing, learned standing counsel appearing for respondents 2 to 4 placed on record the written instructions. From the perusal of the said instructions, it is revealed that the petitioner is yet to comply with the shortfalls for regularizing the plot under the Land Regularization Scheme. The shortfalls that are pointed out are - NOC from the Special Officer and Competent Authority, ULC, Hyderabad, as per G.O.Ms.No.151, MA & UD(M) Department, dated 02.11.2015, the revenue sketch map of the site from the Tahsildar, etc.

4. Learned counsel appearing for the petitioner submits that after submitting the application under Land Regularization Scheme, the shortfalls as pointed out in the written instructions were duly complied with by submitting the necessary documents which include the NOC from the Special Officer and the Competent Authority, ULC, Hyderabad, copy of the registered sale deeds, link documents and the revenue sketch map of the site from the Tahsildar duly showing the subject site.

5. In these circumstances, this Court is of the opinion that since the shortfalls are already complied with, the respondents are obligated to pass appropriate orders on the application submitted by the petitioner for regularization of her plot under the Land Regularization Scheme. Therefore, the respondents are hereby directed to pass appropriate orders as per law on the Application No.3000004787 dated 13.12.2015 submitted by the petitioner for regularization of Plot No.15, H.No.2-21/3 in Sy.Nos.238, 240, 2558 and 599 situated at Old Alwal, Secunderabad, under the Telangana Regularization of Unapproved and Illegal Layout Rules, 2015 within a period of four weeks from the date of receipt of a copy of this order.

6. With the above observation, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAHA RAO

Date:23.01.2020

PGS