

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1861 OF 2020

ORDER:

Heard the learned counsel for the petitioners, learned Government Pleader for Municipal Administration appearing for the 1st respondent, the learned Standing Counsel appearing for the 2nd respondent Corporation and the learned Standing Counsel appearing for the 3rd respondent.

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

“For the reasons stated in the accompanying affidavit, this Hon'ble court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ directing the respondent No. 2, to consider the representation submitted by the petitioner dated. 28-11-2019, for cancelling the house bearing numbers 55-4-440/1, 55-4-440/2 and 55-4-440/3, showing each 500 Sq.Yds, in Sy.No. 152/C, Bheemaram Village, Hasanparthy Mandal, Warangal Urban District, obtained by the respondents No. 4 to 6, by playing fraud upon the respondent No.2, and to pass such other or order or orders as this Hon'ble court may deem fit and proper in the interest of justice.”

3. The learned counsel for the petitioners submit that the petitioners are the absolute owners and possessors of the open land property admeasuring to an extent of 2000 square yards, in Survey No.152/C/1/1, situated at Narayana Nagar Colony, Phase-I, Bheemaram Road, Bheemaram Village, Hasanparthy Mandal, Warangal District. They purchased the same through registered sale deed bearing No.14258 of 2016, dated 13.10.2016, from one Billa Sridhar Reddy by paying valuable

consideration. Since the date of purchase, they have been in possession and enjoyment of the same and the 2nd respondent Corporation allotted house bearing No.55-4-447. The learned counsel also further submits that the petitioners submitted representation, dated 28.11.2019, to the respondent Corporation requesting to cancel the house bearing Nos.55-4-440/1, 55-4-440/2 and 55-4-440/3, showing each 500 square yards in Sy.No.152/C, Bheemaram Village, Hasanparthy Mandal, Warangal Urban District, obtained by respondent Nos.4 to 6 by playing fraud upon the 2nd respondent Corporation.

4. The learned Standing Counsel appearing for the respondent Corporation submits that the representation, dated 28.11.2019, submitted by the petitioners will be considered and appropriate orders will be passed.

5. In the light of the submissions made by both the counsel, the Writ Petition is disposed of directing the 2nd respondent Corporation to consider the representation, dated 28.11.2019, submitted by the petitioners and pass appropriate orders, as per law, within a period of four (04) weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

P.KESHA VA RAO, J

Date: 30th January, 2020

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