

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.2547 of 2020

ORDER:

Heard learned counsel for the petitioner as well as learned Standing Counsel appearing for the 2nd respondent Authority as well as the 7th respondent Gram Panchayat.

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

“...to issue Writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of respondents in threatening to demolish / destroy the layout in an extent of Ac.1-39 gts. in Survey No.36/B/D, 37/A/D and 37/B/C of Mucherla Village, Kandukuru Mandal, Ranga Reddy District, while the application filed by the petitioner for regularization of Layout vide application No.HMDAL022477 dated 23-12-2015 is pending consideration by the 2nd respondent, as illegal, arbitrary and violative of principles of natural justice and against rights guaranteed under Art 300-A of constitution of India, and to pass such other order or orders as this Hon’ble Court may deems fit and proper in the circumstances of the case.”

3. Learned counsel appearing for the petitioner submits that the petitioner purchased the subject property/plot in an unapproved layout. Therefore, the petitioner has submitted an application for regularization, vide application No.HMDAL022477, dated 23.12.2015. Without considering the said application, the 2nd and 7th respondents are threatening to destroy the lay-out in an extent of Ac.1.39 guntas in Survey Nos.36/B/D, 37/A/D and 37/B/C of Mucherla Village of Kandukur Mandal, Ranga Reddy District.

4. Learned Standing Counsel appearing for the 2nd respondent Authority filed counter-affidavit denying the averments made in the affidavit filed in support of the writ petition and contended *inter alia* that as per the orders passed in G.O.Ms.No.151, dated 01.11.2015, the

applicant has to submit registered sale deed executed on or before 28.10.2015 within 60 days from the date of notification, as per the Rule, enclosing the documents mentioned therein. Since the petitioner has not complied with the terms of the above said G.O., the application of the petitioner was rejected as not eligible for regularization.

5. If that be so, this Court is of the opinion that no further cause would survive in the writ petition, as the petitioner has to challenge the rejection orders.

6. Accordingly, the writ petition is closed giving liberty to the petitioner to challenge the rejection orders for regularization of the subject property. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

20th February 2020

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P. KESHAVA RAO, J