

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

W.P.No.5730 of 2018

ORDER:

This writ petition is filed seeking the following relief :-

“....to issue Writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned rejection letter dated 01.12.2017 vide letter No.200/ MIG/ Ph-IV, Ven.III/ EE(WD)/ 10 issued by Respondent No.3 in not allotting the Residential Flat in Sampada Flats under venture-III Phase-IV or any other Flat in other venture at Kukatpally, though received 30 % of the cost of the Flat is arbitrary, illegal, unconstitutional, contrary to the principles of Natural Justice and equality”.

Heard learned counsel appearing for the petitioner and Sri D.Ranganath Kumar, learned Standing Counsel appearing for the respondents.

It has been contended by the petitioner that he has applied for allotment of a flat pursuant to the Notification issued by the respondents on 19.09.2009. The grievance of the petitioner is that though he paid the amount, the respondents on their own dropped the said Notification.

Learned counsel appearing for the petitioner submits that initially the respondents have issued Notification for Phase-15, Venture-2 and the said venture was abandoned half a way and it was shifted to Phase-4, venture 3. Though the petitioner has been requesting to consider his case for allotment of a flat in phase-4, venture 3, the respondents have dropped the said venture also. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for

allotment of a flat in any of the unsold flats in Kukatpally Housing Board.

Learned Standing Counsel appearing for the respondents contends that if the petitioner submits a fresh representation, the case of the petitioner would be considered and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents seeking allotment of a flat in any of the unsold flats in Kukatpally Housing Board within two weeks from the date of receipt of a copy of this order. Thereupon, the respondents shall consider the case of the petitioner and pass appropriate orders in accordance with law within eight weeks thereafter.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 03-03-2020
Prv