

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION Nos.7968 and 29046 of 2019

COMMON ORDER:

Heard Mr.K.Raghuveer Reddy, learned counsel for the petitioners and Mr.Mirza Safiullah Baig, learned Standing Counsel for the respondents.

Since the issue raised in these writ petitions is one and the same, they are heard together and being disposed of by this common order.

For the sake of convenience, the facts in W.P.No.7968 of 2019 are discussed hereunder :-

W.P.No.7968 of 2019 is filed seeking the following relief :-

“.....to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of respondents in not handing over the possession of lands viz., an extent of Ac.19.19 guntas in Sy.No.67 and Ac.18.26 gts in Sy.No.121 of Jallapur Village, Manopad Mandal, Mahabubnagar District, Ac.26.20 guntas in Sy.No.240 and Ac.20.21 guntas in Sy.No.245 of Maramangal Village, Mahabubnagar District and Ac.40.21 in Sy.No.126 of Itkylpad Village, Manopad Mandal, Mahabubnagar District to the petitioner's institution as illegal and arbitrary and to consequently direct the Respondents to forthwith consider the representation made by petitioner on 6.3.2019 and hand over possession of the above lands in favour of petitioner's institution....”.

It has been contended by the petitioner in W.P.No.7968 of 2019 that it is having vast extent of lands and it is not in a position to manage the said lands. In those circumstances, the petitioner has handed over the properties in question to the 1st respondent so as to enable it to auction the lease hold rights and handover the sale proceeds of such auction in favour of the petitioner. Though the 1st

respondent has auctioned the lease hold rights of some of the properties in question, it has not handed over the sale proceeds of the said auction in favour of the petitioner. In those circumstances, the petitioner has submitted a representation to the 1st respondent on 06.03.2019 requesting to handover the sale proceeds of the auction of lease hold rights of the properties in question to the petitioner's Institution or in the alternative handover the unauctioned lands in favour of the petitioner's Institution and hand over the sale proceeds of the auction of the lease hold rights of some properties to the petitioner. But, so far, the 1st respondent has not passed any orders on the said representation nor handed over the sale proceeds of the auction of lease hold rights of the properties in question in favour of the petitioner nor handed over the unauctioned lands in favour of the petitioner's Institution.

The facts in W.P.No.29046 of 2019 are also similar to the facts in W.P.No.7968 of 2019.

Learned counsel appearing for the petitioners in both these writ petitions submits that appropriate orders be passed in the writ petitions directing the respondents to consider the representations dated 06.03.2019 and 05.11.2019 submitted by the petitioners in W.P.Nos.7968 of 2019 and 29046 of 2019 respectively and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents contends that since the representations submitted by the petitioners are pending, the respondents would consider the same and pass appropriate orders 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 these writ petitions can be disposed of directing the 1st respondent to consider the representations submitted by the petitioners on 06.03.2019 and 05.11.2019 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, these writ petitions are disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Date: 22-01-2020
Prv

ABHINAND KUMAR SHAVIL, J



