

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION Nos.21929 of 2021 and 13899 of 2022

COMMON ORDER:

W.P.No.21929 of 2021 is filed seeking the following relief:

“ ... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not cancelling Layout Plan vide TLP No.7/2020/NUDA dt.06.03.2020 (approved by DTCP), sanctioned by the 2nd respondent to the respondents 4 to 6 herein in respect of the land to an extent of Ac.5.08 guntas in Sy.Nos.896 and 914, situated at Nizamabad shivar, Nizamabad Dist (which are the tenancy agricultural lands of the petitioner), pursuant to the complaint dt.07.10.2020 submitted by the petitioner to the 2nd respondent as illegal, arbitrary, violative of principles of natural justice and also violative of Articles 14, 21 and 300-A of the Constitution of India consequently set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

W.P.No.13899 of 2022 is filed seeking the following relief:

“ ... issue order, writ or direction more particularly in the nature of writ of mandamus declaring the action of the respondent No.3 in issuing Intimation Letter Lr.Roc.No.24/NUDA/2020, Dt.21.01.2022 keeping the final layout permission pending until further orders which was earlier granted by 2nd Respondent vide proceedings Lr.Roc.No.468/2020/H dt.17.03.2020 and by 3rd Respondent vide proceedings Lr.Roc.No.24/NUDA/2020, dt.24.09.2020 as without any power and jurisdiction is arbitrary,

illegal, unjust and also violative of fundamental rights and consequentially set aside the impugned notice Lr.ROC.No.24/NUDA/2020 Dt.21.01.2022 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case as otherwise great injustice will be caused to the petitioner".

2. Sri Ponnamm Ashok Goud, learned counsel for the petitioner in W.P.No.13899 of 2022, submits that though there are no orders passed by this Court in W.P.No.21929 of 2021, the respondents have kept the layout pending until further orders. He submits that when no interim orders are granted, the respondents cannot keep the layout pending. Questioning the same, the petitioner has come up before this Court.

3. The grievance of the petitioner in W.P.No.13899 of 2022 is that civil disputes are pending and on that petitioner's layout is kept pending and further no orders are passed by this Court in W.P.No.21929 of 2021. The grievance of the petitioner in W.P.No.21929 of 2021 is that basing on pendency of W.P.No.13899 of 2022, layout cannot be granted in favour of the petitioner.

4. In view the rival claims on behalf of both parties, the intimation dated 21.01.2022 is set aside and the official respondents taking into consideration the representation and after giving reasonable opportunity of hearing to both parties, shall decide the same. The whole exercise shall be completed within six weeks from the date of receipt of a copy of this order.

5. With the above direction, both the Writ Petitions are disposed of. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

August 3, 2022

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