

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11185 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the inaction of respondents 2 and 3 in considering the petitioner's application dated 28.01.2015 for construction of petitioner's house bearing H.No.7-1-14, Old Village, Ferozguda, Balanagar Mandal, Kukatpally Municipality, Ranga Reddy District, as illegal and arbitrary.

The case of the petitioner is that he is the absolute owner of the above said property; that as the said house was in dilapidated condition, the 2nd respondent- Greater Hyderabad Municipal Corporation has issued a notice dated 19.06.2010 to remove the old structure; that the petitioner removed the same and raised pillars for construction of a house; that one B.Krishna has raised a civil dispute in respect of the subject property, the petitioner filed a suit for perpetual injunction in O.S.No.1629 of 2010 on the file of VII Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, was decreed in his favour on 04.06.2012; that he made representations dated 27.07.2013 and 25.11.2014 to respondents 2 and 3 for grant of permission to construct a house, but no action has been taken; and that on 28.01.2015 also he made an application along with Demand Draft for Rs.29,700/- and requisite documents but the respondents returned the same on 06.04.2015 without furnishing any valid reasons. Aggrieved by the same, this writ petition is filed.

Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration appearing for the 1st respondent and Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for respondents 2 and 3.

When the petitioner filed an application for grant of building permission, it is for the respondents to consider the same and take appropriate decision, but they cannot return the same without assigning any reasons.

In view of the same, it is open for the petitioner to resubmit the application and

the 3rd respondent shall receive the same and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of application. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

28.04.2015

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