

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION NOS.12609 and 22850 of 2015

W.P.No.12609 of 2015

Between:

Kothamasu Vidyasagar S/o. Radhakrishna Murthy,
Aged 42 years, Occu: Business, r/o/Vighneswara
Furnitures, Andhra Ratna Road, Chirala, Prakasam
District.

.. Petitioner

AND

The State of Andhra Pradesh, rep.by its Principal
Secretary, Municipal Administration, Secretariat,
Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED : 23.07.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers may : Yes / No
Be allowed to see the Judgments ? :
2. Whether the copies of judgment may be marked: Yes / No
to Law Reporters/Journals :
3. Whether Their Lordship wish to see the fair : Yes / No
Copy of the Judgment ? :

**HON'BLE SRI JUSTICE P.NAVEEN RAO
WRIT PETITION NOS.12609 and 22850 of 2015**

COMMON ORDER:

With the consent of the learned counsels for the petitioners and learned counsels for the respondents, these writ petitions are disposed of finally at the admission stage.

2. Petitioner in W.P.No.22850 of 2015 claims to be the owner of property bearing Door No.20-12-69, Andhra Ratna Road, Chirala Town, Prakasam District. According to the petitioner, he has submitted application to the respondent-municipality on 02.03.2015 seeking permission to construct a building in the said premises. The Commissioner, by endorsement dated 16.03.2015, based on the complaint given by the neighbour (petitioner in W.P.No.12609 of 2015), rejected the application of the petitioner informing the petitioner to resubmit the application after conducting survey by the Town Surveyor. In the mean time, survey was conducted and after the report of the surveyor, petitioner resubmitted application on 16.05.2015 requesting the respondent-municipality to process his application and the said request of the petitioner is pending consideration with the respondent- municipality.

3. In W.P.No.12609 of 2015, petitioner is the owner of the property bearing Door No.20-12-20, Andhra Ratna Road, Chirala town, Prakasam District. In this writ petition, petitioner alleges that his neighbour (i.e., petitioner in W.P.No.22850/2015) is making illegal constructions encroaching into his land and without obtaining due permissions.

4. Having regard to the fact that petitioner in W.P.No.22850 of 2015 earlier submitted application for building permission on 02.03.2015, which is pending with the respondent-municipality and in due compliance of the earlier objection, petitioner stated to have submitted application on 16.05.2015 requesting to process his building permission application dated 02.03.2015, the W.P.No.22850 of 2015 is disposed of, directing the respondent-municipality to consider the same and pass appropriate orders as warranted by law within a period of four weeks from the date of receipt of a copy of this order.

5. Since the petitioner in W.P.No.22850 of 2015 has submitted application for grant of building permission and said application is pending consideration with the respondent-municipality, the grievance raised by the petitioner in W.P.No.12609 of 2015 does not survive any more and the same is accordingly closed. However, if the building permission application of petitioner in W.P.No.22850 of 2015 is not granted, it is open to petitioner in W.P.No.12609 of 2015 to pursue his grievance.

Miscellaneous petitions if any pending in these writ petitions shall stand closed.

Date : 23.07.2015
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JUSTICE P.NAVEEN RAO

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOs.12609 and 22850 of 2015

Date: 23.07.2015

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