

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.491 of 2015

Date: 20-01-2015

Between:

Simhadri Ramakoteswaramma

.. Petitioner

AND

The State of Andhra Pradesh, represented by its
Principal Secretary, Panchayat Raj Department,
Secretariat, Hyderabad and 2 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.491 of 2015

ORDER:

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The writ petition is filed for a mandamus declaring the action of the 3rd respondent in not granting approval and permission to construct residential house by the petitioner as illegal and arbitration and for a consequential direction to the 3rd respondent to issue approved plan and construction permission to residential house in the petitioner's site admeasuring 294 square yards situated at Ward No.1, Survey No.441 of Parchur village, Prakasam District.

2. The case of the petitioner is that he applied for grant of approval of plan and house construction permission before the 3rd respondent in the year 2002 and after approval of the same by the 3rd respondent, he started construction up to basement level and 3 feet height of walls in his site admeasuring 294 square yards, situated at Ward No.1, Survey No.441 of Parchur village, Prakasam District, but

he could not proceed further due to insufficient funds and the 3rd respondent assessed the property for taxes. Thereafter, the 3rd respondent issued a notice dated 24-01-2014 informing the petitioner that the earlier approval was expired and he has to apply for renewal of the earlier plan or to apply for new permission, pursuant to which, he applied on 31-01-2014 to the 3rd respondent for new permission and approval of the plan, but the 3rd respondent, without considering the same, issued another notice on 03-02-2014 directing him to submit surveyor plan. It is also stated that in pursuance to the said notice dated 03-02-2014, the petitioner submitted another application along with new surveyor plan, but the 3rd respondent, without considering the same, again issued another notice dated 27-05-2014 directing him to attend survey on 31-05-2014 and the survey was conducted by the Mandal Surveyor. Thereafter, being aggrieved by the inaction on the part of the 3rd respondent in granting construction permission, the petitioner also made a complaint to the 2nd respondent on 06-11-2014 about the inaction of the 3rd respondent, but no orders are passed thereon. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj for respondents 1 and 2 and Sri G. Elisha, learned standing counsel for the 3rd respondent.

4. In view of above facts and circumstances and since the applications of the petitioner for grant of permission for construction of house in his site are pending with the 3rd respondent, the 3rd respondent is directed to consider the same and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of the order.

With the above direction, the writ petition is disposed of. No costs. As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

Date: 20-01-2015

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