

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.No.36830 OF 2015

ORDER:

Heard learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage itself.

3. This writ petition is filed seeking to issue a writ of *Mandamus* to declare the illegal action of the respondent in not taking any action on the representations of the petitioner for giving permission for reconstruction of the house in Plot No.3/A/1, picket, Secunderabad as per the Rules and Regulations of the Cantonment Board in spite of giving number of representations as illegal and arbitrary, and consequently, to direct the respondent to give permission for reconstruction of the house by passing orders on the applications or representations as per the Rules and Regulations of the Cantonment Board.

4. The facts which lead to filing of the present writ petition are as under:

The petitioner purchased a building in Plot No.3 admeasuring 250 square yards from Varalaxmi and others through registered sale deed bearing No.1962/1994 dated 26.7.1984. It is stated that she has been in possession of the said building and paying necessary taxes without any dues till date. While things stood thus, the petitioner made a representation on 24.4.1995 requesting the respondent for giving permission to demolish the existing rooms and for reconstruction of the house, as the building condition and the rooms are in a dilapidated condition. The petitioner is

said to have made another representation on 10.10.2015 seeking permission for reconstruction of the house. It is stated that till date, no orders are passed by the respondent on her representation.

5. Learned Standing Counsel submits that if the representation made is still pending consideration, necessary directions may be issued to the respondent to pass orders in accordance with law.

6. Without going into the merits of the case and having regard to the facts and circumstances of the case, the Writ Petition is disposed of by advising the respondent to pass appropriate orders on the representation made by the petitioner on 10.10.2015 seeking permission for reconstruction of the house, if the same is made and still pending consideration, in accordance with law as early as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE C.PRAVEEN KUMAR

Date: 13.11.2015

AMD

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

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