

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22461 of 2015

Dated : 21.07.2015

Between:

Smt. Mahmooda Begum W/o.Salam Mujahid,
Age 32 yrs, Occu : Housewife,
R/o.Revalli Village of Gopalpet Mandal,
Mahbubnagar District.

.. Petitioner

And

The Commissioner, Nagara Panchayat,
Nagarkurnool, Nagarkurnool Town and Mandal,
Mahbubnagar District & another.

.. Respondents

This Court made the following :

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ORDER :

Aggrieved by the building permission granted in favour of Smt.

C.Radhika on 18.03.2015, the petitioner claims to have filed an appeal before the Municipal Council on 20.06.2015. The petitioner has also moved an interlocutory application seeking stay of operation of the building permission granted in favour of Smt.C.Radhika. Alleging that the appeal is yet to be disposed of and on the contrary, Smt.C.Radhika, is undertaking construction, this writ petition is filed.

2. Having regard to the fact that an appeal is filed and the same is pending, the writ petition is disposed of without expressing any opinion on merits directing the Municipal Council, to pass appropriate orders on the appeal filed by the petitioner as warranted by law. Since the affected person is Smt.C.Radhika, she is entitled to be put on notice and afford an opportunity of hearing before any decision is taken by the Municipal Council in the appeal as well as in the interlocutory application, in whose favour the building permission was granted on 18.03.2015. The entire exercise shall be completed within a period of six (6) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

21st July, 2015.

Note : Issue c.c. in two (2) days.

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