

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. No. 30703 OF 2014

ORDER :

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This writ petition is filed seeking writ of mandamus declaring the inaction of the 2nd respondent in granting the House Construction Permission to the petitioner for construction of residential house and consequently to direct the respondents to consider the application of the petitioner dated 19.03.2012 for grant of permission on open plot No.33 admeasuring 282.22 sq.yards in Sy.Nos.328/A, 328/E, 329/A, 329/AA, 329/A, 331/U and 328/A of Kanteshwarshivar in Ward No.11, Block No.1, Kanteshwar, Nizamabad Mandal and District.

2. It is the case of the petitioner that he is the absolute owner and possessor of plot No.33 admeasuring 282.22 sq.yards in Sy.Nos.328/A, 328/E, 329/A, 329/AA, 329/A, 331/U and 328/A of Kanteshwarshivar in Ward No.11, Block No.1, Kanteshwar, Nizamabad Mandal and District, having acquired the same by virtue of registered sale deed dated 04.02.2011 and supplement deed dated 09.10.2012 from the Electricity Department Employees Cooperative Housing Society Limited. It is stated that petitioner made an application on 19.03.2012 for grant of construction permission along with all the required papers and draft plan for the consideration and sanction of the 2nd respondent, but no orders are passed sofar. Aggrieved by the same, the present writ petition is filed.

3. Heard learned counsel for the petitioner as well as learned Standing Counsel for the 2nd respondent Corporation.

4. This Court, by orders dated 15.10.2014 directed the respondents to consider the application of the petitioner dated 19.03.2012 for grant of permission to make construction in the subject property, within two (02) weeks from that day. In pursuance to the same, the 2nd respondent has issued proceedings dated 27.10.2014 stating that the petitioner has not complied with the conditions for grant of permission for construction of

residential house as per G.O.Ms.No.168 dated 07.04.2012 and also produced a copy of the said proceedings. Learned Standing Counsel also reiterated the aforesaid averment in the counter affidavit filed by the 2nd respondent.

5. Learned counsel for the petitioner submits that the petitioner will comply with all the objections raised in the notice dated 27.10.2014 issued in pursuant to interim order passed by this Court on 15.10.2014.

In view of the same, it is open for the petitioner to comply with the objections mentioned in the proceedings dated 27.10.2014. As and when petitioner complies with the same, the 2nd respondent shall consider the same and take necessary action on the application of the petitioner dated 19.03.2012 for grant of permission for construction of residential house as per law, in the subject property, within a period of three weeks.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

22.01.2015.
KVS

HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

W.P.No.30703 OF 2014

Date: 22-01-2015

KVS

