

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

WRIT PETITION NO.18766 of 2015

Between :

Bommadevara Venkata Subba Rao,

S/o Venugopala Rao,

Door No. 40-9-2,

Acharya Ranga Nagar, Labbipet, Vijayawada-10

.... Petitioner

And

The State of A.P.,

Rep by its Principal Secretary,

Municipal Admn and Urban Devp,

Secretariat Buildings, Hyderabad and others

.... Respondents

DATE OF JUDGMENT PRONOUNCED : 4.8.2015

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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 : / No

Be allowed to see the Judgments ? :

2. Whether the copies of judgment may be marked : / No

To Law Reporters/Journals :

3. Whether Their Lordship wish to see the fair : / No

Copy of the Judgment ? :

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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ORAL ORDER:

Petitioner claims to have purchased a plot admeasuring 346 sq yards bearing No. 27-37-189 to 191, 27-48-1, Bandar Road, Vijayawada on 30.1.2013. That in the year 2010 vendor of petitioner applied for building permission and second respondent has issued permission vide proceedings dated 6.4.2010, however, no construction

as per the permission granted was made within the period of three years. After the purchase made by petitioner, application was submitted by the vendor of petitioner for revalidation of the permission granted. The said application was considered and rejected by proceedings dated 17.12.2014 impugned in this writ petition.

2. When the matter is taken up for consideration, learned standing counsel on instructions submits that assuming that revalidation as sought by the petitioner is granted, even such period has expired on 1.8.2015, therefore no useful purpose would be served in considering the matter on merits. He further, on instructions, submits that since there is change in ownership, petitioner may be directed to submit an application afresh for revalidation with nominal fee and same would be considered by adjusting the other fees already collected when the original building permission was granted.

3. Having regard to the same, the writ petition is disposed of directing the petitioner to submit an application for revalidation and as and when such an application is filed, the same shall be considered by the respondent corporation and appropriate orders as warranted under law shall be passed within a period of three weeks from the date of submission of application and the decision to be communicated to the petitioner. No costs. Consequently, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:4.8.2015
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HONOURABLE SRI JUSTICE P. NAVEEN RAO

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