

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.29764 of 2016

ORDER:

1 This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus to declare the action of the third respondent in returning the application of the petitioner dated 09.07.2016 as illegal and arbitrary.

2 Heard the learned counsel for the petitioner and the learned standing counsel for the Panchayat Raj & Rural Development.

3 It is the case of the petitioner that he got the property in question under a registered settlement deed dated 26.5.2016. The petitioner submitted an application to the third respondent seeking permission for construction of an RCC roof building in an extent of Ac.0-08 cents in R.S.No.1187/2 of Losari Guttapadu village, Bhimavaram Mandal of West Godavari District. The third respondent returned the application with an endorsement that 90 days period has not completed from the date of registration of the document.

4 In view of the expiry of period of 90 days from the date of registration of the document, this Court is not inclined to go into the merits of the main case. The petitioner is at liberty to make application afresh to the third respondent seeking permission for construction of RCC roof building. If the petitioner submits an application afresh in accordance with the provisions of the A.P. Panchayat Raj Act and Rules made therein, the third respondent

is hereby directed to dispose of the application of the petitioner as expeditiously as possible, preferably, within a period of one month from the date of receipt of the application of the petitioner.

5 With the above direction, this writ petition is disposed of. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed.

Date: 07.09.2016
Kvsn

T. SUNIL CHOWDARY, J

