

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22997 of 2016

ORDER:

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Heard learned counsel for the petitioner, Government Pleader for Municipal Administration and Urban Development, Sri Chatla Madhu, learned Standing Counsel for G.H.M.C. and Sri V.Ravikiran Rao, learned counsel for respondent No.8.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.1 in issuing proceedings No.10851/15/02/2014/HD/623, dated 3.05.2016 thereby keeping the permission for construction accorded to the petitioner vide Permit No.38567/110/NZ/Cir-18/2014, dated 05.12.2014 in abeyance on the untenable ground of pendency of revision petition filed by respondent No.8 before respondent No.2, as illegal, arbitrary and violative of principles of natural justice; and consequently direct respondent No.1 not to interfere with the construction activity of the petitioner.

In order to appreciate the rival contentions, it would be appropriate to refer to the operative portion of the impugned order, which is as under:

“In view of the above, discrepancies pending finalization of Revision Petition before the Collector, R.R.District, and the Building Permission granted to M/s. NDL Infratech Private Limited rep. by Sri V.C.Nannapaneni vide Permit No.38567/HO/NZ/Cir-18/2014, dated 05.02.2014 in F.No.10851/15/02/2014/HO is hereby kept in abeyance.”

Subsequent to passing of the order, a learned Single Judge

of this Court, by an order dated 28.06.2016 passed in W.P.No.12024 of 2016 quashed the proceedings in File No.E1/903/2016. That being the position, the issue for consideration would be whether it is still necessary to keep the building permission granted to the petitioner in abeyance.

It is represented by Sri V.Ravikiran Rao, learned counsel appearing for respondent No.8 that subsequent to the order passed by the learned Single Judge, the petitioner made a representation on 05.07.2016 seeking revocation of the abeyance orders. He submits that it would be appropriate if a direction is given to pass orders on the said representation after hearing both sides. The same is not disputed by the learned counsel for the petitioner and the standing counsel for G.H.M.C.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing respondent No.1 to pass orders on the representation dated 05.07.2016 made by the petitioner in accordance with law as early as possible, preferably, within a period of four (04) weeks from the date of receipt of a copy of the order, after giving an opportunity of hearing to the petitioner and also to the un-official respondents. The petitioner is always at liberty to raise all the objections which are raised in this writ petition. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

14.07.2016

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