

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No.11444 of 2016

ORDER:

Heard Sri N. Vijay, learned counsel for the petitioner, and Sri Pasham Krishna Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

The prayer of the petitioner in this case is as under:

“That this Hon’ble Court be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondent's in not considering building permission application of Petitioner vide CSC No. 49/05/01/2015/HO dt.05-01-2015 as illegal, arbitrary and violative of Art. 14, 21 & 300A of Constitution of India r/w Provisions of Hyderabad Municipal Corporation Act, 1955 and consequently direct the Respondent's to forthwith consider the building permission application of Petitioner vide CSC No. 49/05/01/2015/HO dt.05-01-2014 and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

Sri Pasham Krishna Reddy, learned Standing Counsel, would state that issues of title arise for consideration owing to the complaints received from third parties and therefore the matter is kept pending. Under the scheme of the Greater Hyderabad Municipal Corporation Act, 1955, it is for the municipal authorities concerned to look into all aspects of the matter as provided for thereunder and take a decision on the building permission application pending before them. Such applications cannot be kept pending indefinitely.

The writ petition is therefore disposed of directing the municipal authorities concerned to consider the petitioner’s building permission application dated 05.01.2015 on its own merits, in accordance with law, expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:07.04.2016

GJ