

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41188 of 2016

Date: 29.11.2016

Between:

Musham Venkateshwarlu s/o Shekaraiah,
Aged 41 years, Occu: Business,
r/o H.No.13-187, Huzurabad, Huzurabad
Mandal, Karimnagar District.

.....Petitioner

and

The State of Telangana, rep. by its Principal
Secretary, Municipal Admn. & Urban Development
Department, Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

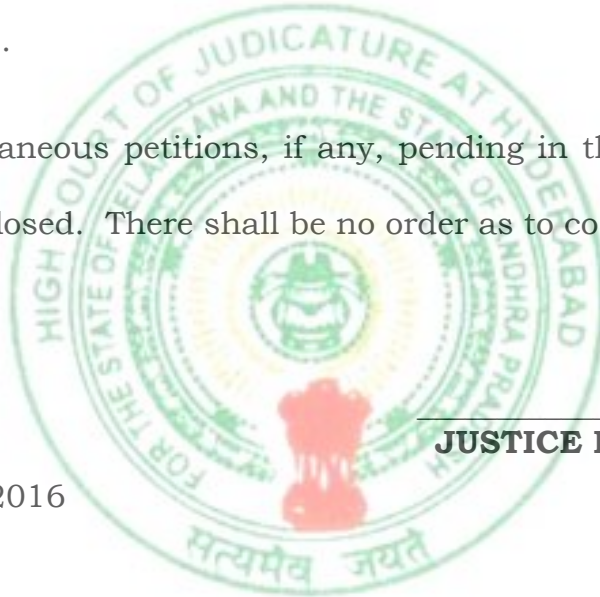
Petitioner applied to grant building permission in the year 2013. This is a second round of litigation concerning the building permission application. Earlier on the allegation that no orders are passed in spite of application was made on 24.06.2013, petitioner filed W.P.No.24829 of 2015. The said writ petition was disposed of, by order dated 07.08.2015, directing the respondent-Nagar Panchayat to consider the same and pass orders within a period of three weeks from the date of receipt of that order. As response to the earlier directions and in compliance to the notice issued by the Advocate on behalf of the petitioner, by impugned letter, dated 13.10.2016, petitioner was informed that the proposed site is occupied by some other persons and there is no clarity on the boundaries of the proposed site. Therefore, petitioner was requested to specify the boundaries of the plot, on which construction was proposed, if necessary by taking help of Mandal Surveyor and submit the application. Without complying with the said direction, this writ petition is filed. Even now, there is no clarity on the boundaries of the plot, in which petitioner intend to construct a building. Nothing prevented the petitioner from going before the respondent-Nagar Panchyat and informing them that these are the boundaries of his property and there is no occupation of any other person within the boundaries, on which he intended to undertake construction.

2. I do not see any illegality committed by the respondent-Nagar Panchayat in insisting the petitioner to demarcate the plot in which construction is proposed, more so when Nagar Panchayat was of the opinion that some other persons are in occupation of the plot. Thus, leaving it open to the petitioner to respond to the letter dated 13.10.2016 impugned in this writ petition, and comply with requirements as requested by the Nagar Panchayat, writ petition is dismissed. It is always open to the petitioner to avail appropriate remedies if he is aggrieved by the response of the respondent-Nagar Panchayat in spite of complying with all requirements.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Date: 29.11.2016
kkm

JUSTICE P.NAVEEN RAO



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