

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12583 of 2016

ORDER:

Heard Sri Shafath Ahmed Khan, learned counsel for the petitioners, and Sri Md. Saleem, learned Standing Counsel for the Gooty Municipality.

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

“For the reasons stated in the accompanying affidavit, the Petitioners pray that this Hon’ble Court may be pleased to issue an appropriate writ order or direction, more particularly a writ in the nature of writ of Mandamus, declaring the inaction of the 2nd Respondent in not considering and passing order granting Municipal permission for the construction of compound wall etc., on the application dt: 07/08/2015 of Petitioners in respect of the plots 17 and 24 of to an extent of Acres 0.6 cents in Sy. No. 578-B situated at Gooty Anantapur Road, in Gooty Town as arbitrary, illegal and in violation of the provisions of the Municipalities Act and Articles 14 and 300-A of the constitution of India and principles of natural justice and consequently to direct the 2nd Respondent to consider and pass appropriate orders on the application dt: 07/08/2015 of the Petitioners forthwith, in the interest of justice and pass such other order or orders as deem fit and proper in the circumstances of the case.”

Though the petitioners seem to have been under the impression that their application dated 07.08.2015, whereby they sought permission to construct a compound wall, is still pending consideration,

Sri Md. Saleem, learned Standing Counsel, produced a coy of the endorsement dated 14.09.2015 whereby the municipal authorities denied permission to the petitioners to undertake the construction.

In the light of this subsequent development, the cause in this writ petition no longer survives for consideration on merits.

The writ petition is accordingly closed leaving it open to the petitioners to seek redressal of their grievance, if any, in relation to the subsequent endorsement dated 14.09.2015 in accordance with law.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

18th April, 2016
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