

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7956 of 2016

ORDER:

Heard Sri Mohd. Moin Ahmed Quadri, learned counsel for the petitioner, and Sri N. Praveen Kumar, learned Standing Counsel for the respondent Municipality.

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

“For the reasons stated in the accompanying affidavit, the petitioners herein pray that the Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent herein in not considering the application of the petitioner dated:04.01.2016 for granting permission for construction of boundary wall/watchman room over the house bearing municipal no.4-3-16/7/20 along with open land, total admeasuring 907.50 sq. yards under sy.no.1399, situated at Jagtial Town, Karimnagar District, as illegal, arbitrary, violation of principles of natural justice and also in violation of Articles 14, 21 and 300-A of Constitution of India, and consequently direct the respondent herein consider the application of the petitioner dated:04.01.2016, and to pass such other order or orders as this Hon’ble Court may deems fit and proper in the circumstances of the case.”

As the petitioner’s application dated 04.01.2016 seeking permission for construction of boundary wall/watchman room in the subject premises is pending consideration with the respondent Municipality, this Court does not deem it necessary to entertain this writ petition at this stage for adjudication on merits.

The writ petition is accordingly disposed of directing the respondent Municipality to consider the petitioner’s application dated 04.01.2016 and take a decision thereon in accordance with the Rules. In the event the petitioner’s request for building permission is rejected, the reasons therefor shall be recorded and duly communicated to him.

This entire exercise shall be completed expeditiously and in any event, not later than two 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

11th March, 2016
IBL/PGS