

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.3158 of 2016

Date:04.02.2016

Between:

Shaik Bee Pasha,
W/o S.K.Babu

..... Petitioner

And:

The State of Telangana, repled., by its Principal
Secretary, Department of Panchayat Raj,
Hyderabad and five others.

.....Respondents

Counsel for the Petitioner: Mr. Sai Gangadhar Chamarty

Counsel for Respondent No.1: GP for Panchayat Raj (TS)

Counsel for Respondent Nos.2 to 4: AGP for Revenue (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.5 in keeping the petitioner's building permission application, dated 28.5.2015, pending as illegal and arbitrary.

The petitioner pleaded that by proceedings No.A/2717/2013, dated 22.11.2013, respondent No.4 has granted the certificate evidencing delivery of possession of the house site to her; that in pursuance of the said

proceedings, she has made an application before respondent No.5 for grant of building permission; and that while the said building permission application was pending, through letter, dated 04.6.2015, respondent No.4 has informed the petitioner that respondent No.6 has made a rival claim over the subject house plot and that therefore, till a final decision on this dispute is communicated, building permission cannot be granted. Feeling aggrieved by this communication, the petitioner filed this Writ Petition.

From a perusal of the letter, dated 04.6.2015, of respondent No.4, it is evident that respondent No.6 has raised a title dispute over the subject house plot and that a detailed enquiry is initiated by respondent No.4 for resolving this dispute and he has, accordingly, requested respondent No.5 not to grant permission to either of the parties till this dispute is resolved.

It could be seen from the said communication that the same was issued as far back as 04.6.2015 and eight months had elapsed since then. The present status of the enquiry is not known.

Therefore, respondent No.4 is directed to complete the enquiry, take a decision and communicate the same to the rival parties as well as respondent No.5 as expeditiously as possible and at any rate, not later than one month from the date of receipt of a copy of this order. Depending upon the decision taken by respondent No.4, respondent No.5 shall process the petitioner's building permission application, take a decision and communicate the same to the petitioner within two weeks thereafter.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.4017 of 2016 shall stand disposed of as

infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*04th February, 2016
DR*