

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.12022 of 2016

ORDER:

Heard Sri Shaik Jilani, learned counsel for the petitioner, and Sri Ancha Panduranga Rao, learned Standing Counsel for the Nellore Municipal Corporation.

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

“It is hereby prayed that this Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondent No.2 in not granting permission for construction of compound wall in the property bearing Municipal Ward No.23, Door No.875, 876 in Sy.No.469/2, 1459-1, 1459-2, 473, 474/2, 473/2 and 475 including the CAM compound, in spite of the written representation dt. 11.03.2016, as being illegal, arbitrary and unjust and consequently direct the 2nd respondent to forthwith grant permission pursuant to the representation dt. 11.03.2016, and to grant such other relief or reliefs as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

As the application made by the petitioner seeking permission to construct the compound wall is yet to receive the attention of the municipal authorities, this Court finds no cause to interfere in the matter at this stage.

The writ petition is accordingly disposed of directing the Nellore Municipal Corporation to consider the petitioner’s application dated 11.03.2016 and take appropriate action thereon in accordance with law. In the event the application for permission for construction of a compound wall submitted by the petitioner is rejected, the reasons therefor shall be duly recorded and communicated to him. This exercise shall be completed 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:12.04.2016

GJ