

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.11916 of 2016

ORDER:

Heard Sri V. Sreemannarayana, learned counsel for the petitioner, and Sri S.D. Gowd, learned Standing Counsel for the Ananthapuram Municipal Corporation.

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

“For the reasons stated in the accompanying affidavit in support of writ petition the petitioner herein prays that this Hon'ble Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not considering the petitioner application dated 13-07-2015 for regularization of flat No.601 and 602, Shiri Park View Apartments, Ward No.6, Ananthapur Municipal Corporation, Ananthapur as illegal, arbitrary and in violation of Principles of Natural justice and in violation of Art.14 of the Constitution of India and consequently direct the 2nd respondent to consider the petitioner application dated 13-07-2015 for regularization of flat No.601 and 602, Shiri Park View Apartments, Ward No.6, Ananthapur Municipal Corporation, Ananthapur without referring to the other deviations made by the builder in the interest of justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

As the municipal authorities are said to be seized of the petitioner's application dated 13.07.2015 and are yet to take a decision in the matter, no cause is made out for interference by this Court at this stage.

The writ petition is accordingly disposed of directing the Ananthapuram Municipal Corporation to consider the petitioner's application dated 13.07.2015 in accordance with law and take appropriate action thereon. In the event the petitioner's request for regularization of his construction is rejected, the reasons therefor shall be duly recorded and communicated to him. This entire exercise shall be completed expeditiously and in any event, not later than three weeks from the date of receipt of a copy of this order. Pending the disposal of the petitioner's application, the municipal authorities shall not resort to any coercive measures in relation to the subject construction.

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