

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.6325 of 2016

ORDER:

Heard Smt. R. Annapurna, learned counsel for the petitioner, and Sri P.Kesava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (GHMC).

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

“For the reasons stated in the accompanying affidavit, it is 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 Respondents in not granting permission to the petitioner for constructing the compound wall on his private land situated at Plot No.42 in premises No.8-2-269/1 & 2 in MCH approved layout M/s. Anand Parbath Cooperative Housing Society, situated in S.No.29/11 (Paiki), Road No.2, Banjara Hills, Hyderabad, to declare the action of the Respondents as illegal and arbitrary in obstructing the petitioner from constructing the compound wall in spite of the orders passed by the Supreme Court in review application (C) No.2405 of 2012 in S.L.P.(C) No.27316 of 2011, to direct the Respondents to grant permission to the petitioner herein for constructing the compound wall in Plot No.42 in premises No.8-2-269/1 & 2 in MCH approved layout M/S Anand Parbath Cooperative Housing Society, situated in S.No.129/11 (Paiki), Road No.2, Banjara Hills, Hyderabad and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Admittedly, the petitioner’s application dated 24.09.2013 seeking permission to undertake construction of the compound wall is pending consideration before the GHMC. That being so, this Court sees no reason to entertain this writ petition for adjudication on merits.

The writ petition is accordingly disposed of at the admission stage directing the respondent authorities concerned to consider the petitioner’s application dated 24.09.2013 and take appropriate action thereon in accordance with law. In the event the petitioner’s request for building permission is rejected, the reasons therefor shall be recorded and duly communicated to her. This 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 miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:26.02.2016

GJ