

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.12874 of 2015

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Date: 25.01.2016

Between:

Koduru Niranjan Reddy

.. Petitioner

and

The State of Andhra Pradesh
rep. by its Prl.Secretary
Municipal Administration
& Urban Development Dept.,
Hyderabad and 2 others.

.. Respondents

Counsel for the petitioner : Mr.Smt.M.Suguna

**Counsel for respondent No.1: AGP for Municipal
Administration**

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The Court made the following:

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Order:

This Writ Petition is filed for a Mandamus to

declare the action of the respondents, in rejecting the application filed by the petitioner for building permission *vide* endorsement, dated 07-04-2014, as illegal and arbitrary.

A perusal of the impugned endorsement shows that the petitioner's application for building permission was rejected on the ground that the proposed plans are not tallying with Lay Out Plan No.389/87.

On behalf of respondent No.2, a detailed counter-affidavit is filed assigning reasons in support of the conclusion drawn in the impugned endorsement to the effect that the proposed plan is not tallying with the lay out plan. It is *inter alia* stated in the counter-affidavit that the petitioner has encroached the irrigation canal porambok.

The learned Counsel for the petitioner, while denying the aforesaid statement, submitted that on 10-04-2014, the petitioner has made a representation and that respondent No.2 may be directed to consider the said representation and the material that may be filed by the petitioner.

In the light of the above submission, the petitioner is permitted to make a fresh representation along with the material in support of his plea that the plan submitted by him tallies with Lay Out Plan No.389/87. Within one month of receipt of such representation, respondent No.2 shall consider the same and take a fresh decision after holding necessary enquiry wherein he shall give an opportunity of personal hearing to the petitioner.

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

As a sequel to disposal of the Writ Petition, WPMP.Nos.16922 and 23934 of 2015 are disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 25th January, 2016
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