

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.24969 of 2016

ORDER:

1 This Writ Petition is filed under Article 226 of the Constitution of India seeking writ of Certiorari, call for the records relating to the order dated 15.03.2016, passed by the 2nd Respondent rejecting the application of the Petitioner dated 08.03.2016, seeking permission for construction, set aside the same and consequently direct the 2nd Respondent to reconsider afresh the application of the Petitioner dated 08.03.2016.

2 Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

3 The case of the petitioner is that he purchased an extent of 293 sq. yards of land in Sy.No.262/1/G/1, Bommareddypally Shivar, Dharmaram Gram Panchayat and Mandal, Karimnagar District under a registered sale deed dated 23.02.2016 from one Nune Srinivas. The petitioner submitted an application on 08.03.2016 to the 2nd respondent seeking permission to make construction in the said site by paying prescribed fee. However, the 2nd respondent, without assigning any reasons, rejected the application of the petitioner on 15.03.2016.

4 As seen from the order passed by the 2nd respondent the application of the petitioner was rejected on the ground that one Komati Reddy raised objection for granting permission to the petitioner to make construction.

5 The learned standing counsel submitted that there is a dispute between the petitioner and his neighbours. While considering the application for sanction of permission for construction of house, the 2nd respondent has to consider whether the applicant is the owner of the

property or not. It is not the case of the 2nd respondent that the petitioner is not the owner of the property in question. The 2nd respondent has rejected the application of the petitioner without assigning any reasons much less cogent and valid reasons.

6 Having regard to the facts and circumstances of the case, the order dated 15.03.2016 passed by the 2nd respondent is hereby set aside. The 2nd respondent is hereby directed to pass appropriate orders afresh on the application dated 08.03.2016 submitted by the petitioner in accordance with law after affording reasonable opportunity to the petitioner, as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

7 This Writ Petition is accordingly disposed of. No order as to costs. As a sequel, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 27.07.2016

Kvsn