

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.12837 of 2013

ORDER:

This writ petition, under Article 226 of the Constitution of India, by the petitioners, is filed, having been aggrieved of the inaction of the 2nd respondent – Narayanpet Municipality in issuing building construction permission in respect of plot Nos.34 and 35 in survey number 461/AA situated at Pallabuzurg, Narayanpet, Mahabubnagar District, said to be belonging to the petitioners 1 and 2, despite their representations, dated 22.09.2012.

2. At the hearing, the learned counsel for the petitioners, while reiterating the case pleaded by the petitioners in the writ petition, would submit that the petitioners submitted two separate representations, dated 14.03.2013, to the 2nd respondent Municipality and that the said representations were not considered till date and no orders are passed by the 2nd respondent.

3. The 2nd respondent filed counter *inter alia* stating that the petitioners have not approached this Court with clean hands and that they have suppressed the facts regarding approval of lay out for the area covering the subject plots and that the 2nd respondent Municipality has already endorsed that the applications of the petitioners are under scrutiny and that the 2nd respondent Municipality would pass necessary orders after ascertaining certain

issues relating to the ownership, lay out and building rules etcetera, in due course.

4. In the light of the said submission in the counter of the 2nd respondent Municipality, the learned counsel for the writ petitioners requested the Court to dispose of the writ petition with a direction to the 2nd respondent Municipality to consider the representations, dated 14.03.2013, of the writ petitioners and pass appropriate orders in strict accordance with the procedure established by law and would further submit that if such a direction is given, the grievance of the writ petitioners would be redressed and the ends of justice would be met.

5. The learned Standing Counsel for the 2nd respondent Municipality, having regard to the submissions in the counter, endorses the said submission of the learned counsel for the petitioners. Having regard to the submissions, this Court is satisfied that this writ petition can be disposed of with appropriate directions.

6. In the result, the writ petition is disposed of directing the 2nd respondent – Narayanpet Municipality to consider and dispose of the representations, dated 14.03.2013, of the petitioners in strict accordance with the procedure established by law, within a period of three (03) weeks from the date of receipt of a copy of this order and communicate the said orders to the petitioners. It is also made clear that while disposing of the representations, dated 14.03.2013, of the petitioners, they may be given an opportunity of hearing.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

M.Seetharama Murthi, J

19th April, 2017

Note:-

Furnish C.C. by 28.04.2017.

(B/o)

Bvv

