

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.25519 of 2016

ORDER:

1. This writ petition is filed by the petitioner challenging the proceedings issued by the 3rd respondent vide letter dated 20.8.2015, whereunder the application filed by the petitioner for construction of a building in Plot No.54/1, Sy.No.163, Mallikarjun Nagar, Ramachandrapuram, Medak District, was rejected.

2. Heard and perused the material available on record.

3. From the impugned proceedings, it is apparent that the 3rd respondent rejected the application filed by the petitioner for grant of permission to construct a building in the above plot, on the ground that the plot in which the petitioner wants to construct a building falls in the park area of lay out open space, whereas it is the case of the petitioner that the plot in question has already been regularized under LRS scheme and the said plot was not earmarked for park in the layout sanction.

4. While admitting the writ petition on 3.8.2016, this Court passed interim order as follows:

“The intimation dated 20.8.2015 issued by the 3rd respondent rejecting petitioner’s application for construction permission on the ground that petitioner’s plot is designated as a park, cannot be accepted since the 1st respondent in proceedings dated 5.1.2010 had regularized the plot in question under the A.P. Regularization of Unapproved and Illegal Layout Rules, 2007 and collected charges therefor.

Therefore, the proceedings dated 28.2.2015 of the 3rd respondent are suspended.”

5. Now, it is the case of the petitioner that after passing of the above interim order, he submitted another application seeking permission to

construct a building and therefore, the respondents may be directed to consider his application and grant permission to construct a building in the plot in question, without raising any objection.

6. Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for GHMC submitted that the respondents have not received any such application and if any application is filed, the respondents will consider the same, in accordance with law, and also taking into consideration the interim order passed by this Court on 3.8.2016 in this writ petition.

7. Considering the above circumstances of the case, this Court is inclined to pass the following order:

“The petitioner is directed to make a fresh application through online and by way of a representation along with the required documents on or before 30th July, 2017. On such application/representation being made, the respondents are directed to consider the same and pass appropriate orders as expeditiously as possible.”

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 11th July, 2017
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Date: 11th July, 2017

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