

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19673 of 2009

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the respondents in not considering the building permission and sanction building plan filed on 24.06.2008 and 17.08.2009, as illegal, arbitrary and violative of provisions of the A.P. Panchayat Raj Act, 1994, and to set aside the same and consequently to direct the respondents to consider the building application, in accordance with the law.

2. Heard the learned counsel for both the parties and perused the material available on record.

3. The case of the petitioner is that the petitioner has purchased Ac. 1.24 guntas of land in Survey No.282/6, situated at Jammikunta Village and Mandal of Karimnagar District from one Dr. Daram Hanmantha Reddy, by way of a Sale Deed executed by one Shiva Reddy, who is the power of attorney holder, vide document No.1075 of 2009, dated 19.02.2008. The petitioner, with an intention to establish Rice Mill in the above said land, submitted an application for building permission to the respondents on 24.06.2008, but so far the respondents have not passed any orders, though the District Panchayat Officer, Karimnagar, vide Lr.No.A7/2901/09PTS, dated 28.07.2009, directed the respondents to consider the building permission, in accordance with law. The petitioner has submitted a

representation to the respondents, dated 10.08.2009, but till now no orders are passed by the respondents.

4. When the matter is taken up for hearing, it is informed by the learned Standing Counsel for the respondents that now Jammikunta Village and Mandal of Karimnagar District, is upgraded as Nagar Panchayat and a remission was also sent to the petitioner on 10.08.2009 and that the request of the petitioner for building permission, dated 24.06.2008, is under consideration.

5. Considering the facts and circumstances of the case and the grievance of the petitioner and the submissions of the learned Standing Counsel for the respondents, this Court is of the view that the writ petition can be disposed of with the following direction:

The first respondent is directed to consider the application of the petitioner for building permission, dated 24.06.2008, and pass appropriate orders, as expeditiously as possible, in accordance with law, more preferably within a period of eight (8) weeks from the date of receipt of a copy of this order and communicate the said decision to the petitioner.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

RAJA ELANGO, J

Date: 3rd August, 2017
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