

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.45668 of 2016

Date: 03.01.2017

Between:

Gattu Mahesh, s/o. Maruthi Rao,
Aged about 59 years, R/o. H.No.15-1-326/1,
Rangampet, SVP Road, Near Kakatiya Medical
College, Warangal.

.....Petitioner

and

The State of Telangana, rep.by its Principal
Secretary, Municipal Administration and Urban
Development Department, Secretariat,
Hyderabad and another.

.....Respondents



The Court made the following:

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ORDER:

Petitioner being the owner of the land to an extent of 8290.17 square yards in Sy.No.352 of Kazipet Jagir Village, Hanmakonda Mandla in Warangal District, applied for building permission to construct a cellar, ground floor and seven upper floors. On consideration of the application, Kakatiya Urban Development Authority, Warangal, vide proceedings Roc.No.C3/1523/2014/407, dated 27.05.2016 granted permission for such construction and authorized the Commissioner, Greater Warangal Municipal Corporation to grant building permission. By endorsement dated 24.06.2016, Municipal Corporation required the petitioner to submit the documents mentioned therein and to pay fee and other charges. Petitioner claims that whatever required by the Corporation in their endorsement were complied and by his letter dated 30.08.2016, he has informed the same to the Municipal Commissioner. The grievance of the petitioner necessitating institution of this writ petition is that the Municipal Corporation is not taking a decision after reply furnished by the petitioner on 30.08.2016 and causing lot of hardship and suffering to him.

2. Learned standing counsel does not dispute the fact that application submitted by petitioner is not disposed of and is pending. However, he sought to justify on the ground that some litigation is pending.

3. The fact remains that the application submitted by the petitioner is pending with the Municipal Corporation and no decision thereon is communicated to the petitioner. The action of the respondent Corporation in keeping the issue pending without informing the petitioner the reason for such pendency and not passing orders is not appreciated. It is for the competent authority to consider such application as expeditiously as possible and to communicate their decision. They should understand that construction activity requires lot of arrangements to be made and delay in commencing of construction work may have an impact on overall cost of construction.

4. Since building permission application is pending with the respondent Corporation, the respondent Corporation is directed to consider the same duly taking note of the representation submitted by the petitioner on 30.08.2016 and pass appropriate orders as warranted by law within a period of two weeks from the date of receipt of copy of this order and communicate a decision by a reasoned order to the petitioner.

5. Writ Petition is disposed of accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 03.01.2017
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