

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.16042 OF 2017

ORDER:

Heard the learned counsel for the petitioner and Smt Bhagya Sri, learned Standing Counsel for respondent No.2 – Corporation.

The petitioner filed the writ petition declaring the inaction of respondent No.2 – Corporation, in considering extension of permission to complete the remaining work, as per sanctioned plan in respect of house Nos.11-5-7/8/1, 11-5-7/3/2 and 11-5-7/3, wyra road, Khammam, as being illegal and arbitrary.

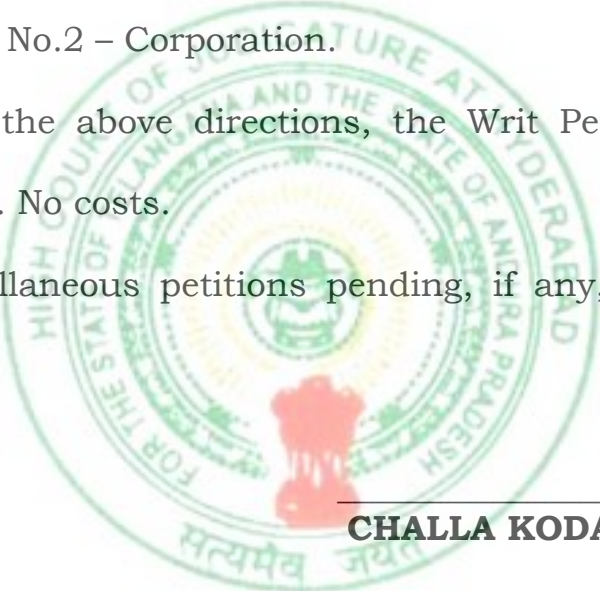
Even, as per the averments in the writ affidavit, originally, petitioner was granted construction permission on 13.07.2007; and, admittedly, they could not complete construction within the time stipulated in the sanctioned plan. Various factors have been set out by the petitioner in the affidavit. By way of an interim order, petitioner seeks permission to complete work in house Nos.11-5-7/8/1, 11-5-7/3/2 and 11-5-7/3, as per the construction permission granted on 13.07.2007.

The order of the nature, which the petitioner seeks, cannot be granted as that would be permitting violation of statutory provisions. However, in the facts of the present case, the petitioner shall approach respondent No.2 –

Corporation making a fresh application either seeking validation of the earlier permission or for granting fresh permission; and, if need be, petitioner shall also pay requisite fee. Respondent No.2 – Corporation shall, objectively, consider the application of the petitioner, pass appropriate orders, and communicate decision, within a period of six weeks from the date of receipt of such application. It is made clear that the petitioner shall not proceed with construction until a decision is made by respondent No.2 – Corporation.

With the above directions, the Writ Petition stands disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.



CHALLA KODANDA RAM,J

Date:28.04.2017
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