

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23344 of 2017

ORDER:

This writ petition is filed by the petitioners, under Article 226 of the Constitution of India, seeking to declare the inaction of respondents 2 & 3 in not considering the petitioners' application CSC No.60529/13/01/2016/HO, dated 13.01.2016, for construction of residential building complex consisting of cellar, stilt + 4 upper floors on premises bearing Nos.8-2-269/1 and 8-2-269/2, in Plot Nos.9 & 7 (part), admeasuring 1062.20 square yards, forming part of Anand Parbat Co-operative Housing Society, situated at Shaikpet, Banjara Hills, Hyderabad, as illegal and arbitrary and consequently direct the respondents to consider the petitioner's application CSC No.60529/13/01/2016/HO, dated 13.01.2016, for construction of residential building.

2. Heard the learned counsel for both the parties and perused the material available on record. With the consent of the learned counsel for both the parties, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioners is that the petitioners are the absolute owners and possessors of premises bearing Nos.8-2-269/1 and 8-2-269/2, in Plot Nos.9 & 7 (part), admeasuring 1062.20 square yards, forming part of Anand Parbat Co-operative Housing Society, situated at Shaikpet, Banjara Hills, Hyderabad, being acquired the same by way of registered

Sale Deeds bearing Nos.79/2013, 80/2013, 456/2013 & 5680/2015.

4. The main grievance of the petitioners is that the petitioners have submitted an application CSC No.60529/13/01/2016/HO, dated 13.01.2016, for construction of residential building complex consisting of cellar, stilt + 4 upper floors in the subject premises and paid Rs.10,000/- towards processing fee along with all relevant, requisite documents, forms and affidavits, but so far, the respondents have not passed any order on the said application submitted by the petitioners.

5. When the matter is taken up for hearing, both the learned counsel agreed for disposal of the writ petition with a direction to respondents 2 & 3 to expeditiously dispose of the application of the petitioners.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing respondents 2 & 3 to consider the application of the petitioners, *vide* CSC No.60529/13/01/2016/HO, dated 13.01.2016, pass appropriate orders, as warranted by law, as expeditiously as possible, more preferably, within a period of eight (8) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 14th July, 2017
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