

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19544 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of respondents 3 & 4 in refusing to give building construction permission to the petitioner in respect of his land in Survey No.358, situated at Choutuppal Village and Mandal, Nalgonda District, as illegal and arbitrary and against the principles of natural justice and consequently direct the respondents to consider the building permission application.

2. Heard both sides and perused the material available on record.

3. The case of the petitioner is that the petitioner is the absolute owner and possessor of land admeasuring 3500 square yards, situated in Survey No.358 at Choutuppal Village and Mandal, Nalgonda District and subsequently the petitioner has sold some extent of land in favour of ten individuals by way of registered Document. After selling the said land, the petitioner is still in possession of remaining 3000 square yards. It is further case of the petitioner that the subject property is located abutting the national highway Hyderabad-Vijayawada at Choutuppal Village and Mandal and the petitioner has applied for the conversion of the subject land for using the same for non-agricultural purposes before the competent authority and the competent authority issued proceedings No.B/224/2017, dated 09.02.2012, by permitting the petitioner to convert the subject land after duly collecting

conversion fee of Rs.16,33,500/-. It is further case of the petitioner that the petitioner submitted an application for building construction permission before the 3rd respondent in the month of November, 2006, but on 17.02.2017, the 3rd respondent refused the permission without any reason by stating that LRC is required. Thus, the action of the 3rd respondent in refusing to grant building permission in favour of the petitioner in respect of the subject land is illegal and arbitrary.

5. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 3rd respondent to expeditiously consider the building permission application said to have been submitted by the petitioner.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 3rd respondent to consider the building permission application said to have been submitted by the petitioner in the month of November, 2006, pass appropriate orders, as warranted by law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO,J

Date: 16th June, 2017

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