

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20714 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to direct the 2nd respondent to issue building permission in accordance with G.O.Ms.No.168, dated 07.04.2012, and to declare the inaction on the representation, dated 24.01.2017, as illegal and arbitrary.

Heard and perused the material available on record.

It is the case of the petitioner that he is the owner of plot bearing No.627 in survey No.202, Saheb Nagar kalan village, Hayathnagar Mandal, Ranga Reddy district admeasuring 407 square yards abutting 50 ft., green buffer zone on the North side of the tank named as Kappala cheruvu, in final HUDA approved layout. Since 2001, the petitioner is in peaceful possession of the said plot. While so, the petitioner applied for residential building permission through online before the 2nd respondent for construction of four floors within a height of 12 mts., on 23.08.2016 by paying initial processing fee. The 2nd respondent issued a shortfall notice, dated 22.11.2016 raising document related objection remarks in Sr.No.3(6). Challenging the same, the petitioner filed WP No.44213 of 2016 before this Court and the said writ petition was disposed of by this Court on 01.12.2016 giving liberty to the petitioner to respond to the shortfall notice issued by the 2nd respondent. Thereafter, the petitioner submitted reply to the shortfall notice issued by the 2nd respondent, explaining the rule position. But, the 2nd rejected the said explanation and again served second short fall notice on 19.01.2017. The petitioner again approached the 2nd respondent and submitted representation on 24.01.2017, but, the 2nd respondent has not passed any orders so far, on

the representation submitted by the petitioner. Hence, this writ petition.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the writ petition can be disposed of with a direction to the 2nd respondent to pass appropriate orders on the representation made by the petitioner within a specific time.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to consider representation, dated 24.01.2017, submitted by the petitioner and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

June 27, 2017
KTL

RAJA ELANGO, J

