

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20861 of 2017

ORDER:

1. This writ petition is filed by petitioner aggrieved by the inaction of respondents Nos.2 and 3 on his representations dated 16.9.2016 and 30.5.2017, for cancellation of approval of building plan granted in favour of the 4th respondent in respect of structures in an extent of 428 sq. yards out of 1210 sq. yards covered by T.D.No.146, New Survey No.22P (Old Survey No.15) situated in Old Venkojipalem, Visakhapatnam.

2. Heard and perused the material available on record.

3. Learned Counsel for the petitioner submitted that the petitioner and his brother are the owners of the land of an extent of 1210 sq. yards of vacant site covered by T.D.No.146, New Survey No.22P situated in Old Venkojipalem, Visakhapatnam, and that the 4th respondent without having any right over the same, entered into a Development agreement with the 5th respondent in respect of land admeasuring 428 sq. yards out of 1210 sq. yards of vacant site covered by the above TD number, and obtained building plan approval and that the petitioner made representations on 16.9.2016 and 30.5.2017 to respondents Nos.2 and 3 to cancel the approval of the building plan. But respondents Nos.2 and 3 have not considered the said representations so far.

4. It is submitted on behalf of the official respondents that the official respondents have already considered the representations of the petitioner and that the civil litigations are pending before the Courts concerned in respect of the property in question.

5. In view of the circumstances of the case and the above submissions, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The official respondents are directed to consider the representations of the petitioner and pass appropriate orders and communicate the same to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.”

6. With the above direction, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

Date: 28th June, 2017
Nn

RAJA ELANGO, J



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