

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.25996 of 2017

ORDER:

Heard learned counsel for the petitioner and Sri P.Keshava Rao, learned Standing Counsel for respondent-Municipal Corporation.

2. According to the petitioner, he is the absolute owner of the plot of land admeasuring 2042 sq.yards bearing H.No.1-9-1104 to 1112, Vidyanagar, Adikmet, Hyderabad. It is further stated that the petitioner herein obtained building permission from respondent-Municipal Corporation vide permission dated 30.08.2013 for construction of Cellar, Stilt and four upper floors. It is also averred that after completing the above said structures, petitioner herein applied for revised permission vide application bearing CSC No.19082/19/03/2014/HO, dated 19.03.2014 for construction of the 5th floor over the existing building. Subsequently, the said application was returned by the respondent authorities with certain objections. According to the petitioner, after rectifying and clarifying the points raised, he again submitted a revised application dated 24.03.2016. Thereafter, the respondents vide letter dated 20.04.2016 rejected the proposal on two grounds namely, road width of 18 mts is required for school building and there are also complaints from the local people on the existing building use.

3. According to the petitioner, by way of letter dated 29.04.2016, he clarified to the respondents that as per G.O.Ms.No.168, minimum road width required for school

building is only 9 mts, whereas on ground the road width is 10.67mts. It is further stated that the writ petition filed by the local people was closed and a compromise letter was also issued by the local people. It is further averred that despite the said letter dated 29.04.2016, no action has been taken by the respondents herein, which compelled the petitioner to submit representation dated 08.02.2017.

4. It is the complaint of the petitioner herein in the present writ petition that the despite the above said correspondence, the respondent authorities are not taking action on the revised building application dated 26.03.2016, submitted by the petitioner herein.

5. Having heard the learned counsel for the petitioner and the learned Standing counsel for respondent-Municipal Corporation, this Court deems it appropriate to dispose of the present writ petition directing the respondent-Municipal corporation to take appropriate action on the revised building application bearing CSC No.19082/19/03/2014/HO, dated 26.03.2016 and pass final orders strictly in accordance with law, within a period of six (06) weeks from the date of receipt of this order.

6. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 12.09.2017
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12.09.2017