

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19102 OF 2016

ORDER:

The Writ Petition is filed challenging the action of the 2nd respondent in passing proceedings, dated 03.06.2016, whereby and whereunder the revised plan submitted by the petitioner was rejected without following the procedure contemplated under the provisions of A.P. Urban Areas (Development) Act, as illegal and arbitrary, and consequently, set aside the same and direct the 2nd respondent to approve the revised plan submitted by the petitioner.

The case of the petitioner is that it promoted a layout in the landed property in Sy.Nos.149, 156, 157, 158, 162 and 163 of Thimminaidupalem village, Tirupati Urban Mandal, Tirupathi, Chittoor District, and on an application filed by the petitioner, the 2nd respondent granted permission vide proceedings, dated 26.03.1998. In order to utilize the vacant land for the purpose of plots, the petitioner submitted a revised layout plan on 11.04.2016. But, the 2nd respondent rejected the said revised plan vide proceedings impugned. Hence, the present writ petition.

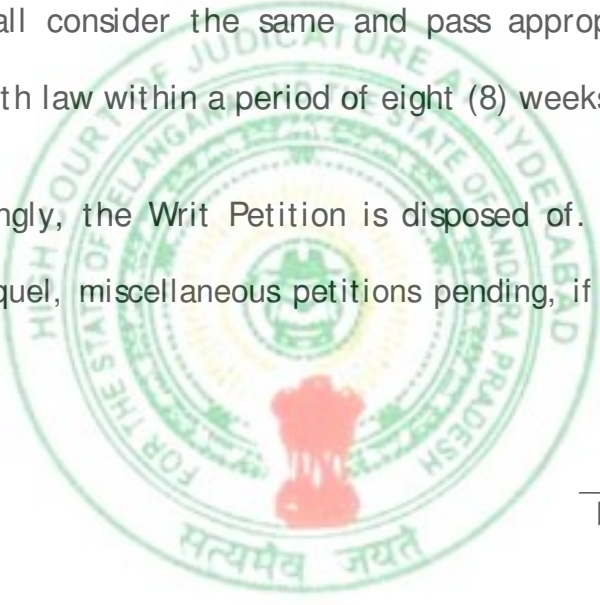
The grievance of the petitioner is that even though it submitted a detailed representation stating the reasons for converting the park area into plots and shifting of proposed park area to the place where the master plan road was originally marked, the authorities of the 2nd respondent without considering the same, passed the impugned order rejecting the request of the petitioner.

This Court perused the order impugned. It is evident from the said order that the authority concerned rejected the request of the petitioner without assigning any reasons. Therefore, considering the circumstances of the case and the grievance of the petitioner, this Court is inclined to pass the following order:

The impugned proceedings, dated 03.06.2016, are hereby set aside and the petitioner is directed to submit another application along with all relevant documents to the authority concerned on or before 31.07.2017. On such application being filed, the authority concerned shall consider the same and pass appropriate orders in accordance with law within a period of eight (8) weeks.

Accordingly, the Writ Petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

July 13, 2017
KTL



RAJA ELANGO, J