

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.25585 OF 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not issuing the no-objection certificate for construction of First Floor of petitioner’s House in spite of the representation made on 30.4.2011 and in spite of petitioner’s repeated requests and not to demolish the construction made in the First Floor of H.No.1-10-85/B/12/A, Shasahab gutta, Mahaboob Nagar, and not issuing no-objection certificate by the 2nd respondent as high handed and arbitrary action, against to the principles of natural justice and as such liable to be set aside in the interest of justice.....”

2. Learned Standing Counsel appearing for respondent No.1 submitted that no application as alleged by the petitioner is pending with respondent No.1 and if any fresh application is made by the petitioner, respondent No.1 is ready to consider the same in accordance with law.

3. Considering the submission of the learned Standing Counsel, the petitioner is directed to file a fresh application to respondent No.1 seeking permission for construction of first floor on or before 15.3.2017 and on such application being filed, respondent No.1 shall consider the same in accordance with law.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

3.2.2017
AMD



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Date: 3.2.2017

AMD