

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35091 OF 2018

ORDER:

Heard the learned counsel for the petitioner and the Government Pleader. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking writ of mandamus declaring the action of the respondent No.2 in not granting the building permission in respect of the property situated in Revenue Survey No. 345/ 2B, Block No. 503, having Municipal No. 48-11-SC, Vijayawada, applied vide building application No. 1073/ 0592/ B/ VMC/ GUN/ 2017, dated 08.05.2017, as illegal, arbitrary and improper.

3. Though various grounds are raised in the writ petition, Sri Raja Sripathi Rao, the learned counsel appearing for the petitioner would contend that the building application plan, which was granted earlier to the petitioner, is sought to be cancelled by way of intimation given online, which led to making of a fresh application dated 08.05.2017 seeking permission for construction of a building in the subject land, which is pending consideration.

4. Sri Balaji Medapalli, the learned Standing Counsel for the respondent-Corporation would submit that since the issue as to widening of the road is pending consideration with the appropriate authority, the request of the petitioner cannot be considered.

5. To this, the learned counsel for the petitioner would submit that appropriate orders should have been passed by the authorities without keeping the application of the petitioner pending since May, 2017.

6. Having regard to the facts and circumstances of the case, the present writ petition is disposed of with consent at the admission stage, directing the 2nd respondent to pass appropriate orders on the building application of the petitioner, bearing No. 1073/ 0592/ B/ VMC/ GUN/ 2017, dated 08.05.2017, as early as possible, preferably, within a period of two to four weeks from the date of receipt of a copy of this order. In the event of any order being passed against the petitioner, it is always open to him to take steps in accordance with law. No order as to costs. As a sequel to disposal of the writ petition, miscellaneous petitions pending, if any, shall stand closed.

26.10.2018
DMG



C. PRAVEEN KUMAR, J