

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION NO.12409 OF 2015

ORDER:

Heard the learned counsel for the petitioner as well as the learned Standing counsel appearing for respondent No.1 Board.

2. The prayer sought in the Writ Petition is as under:

“...to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the 1st Respondent in rejecting petitioner's building application for construction of ground floor in Plot bearing No. 256 admeasuring 333.33 sq. yards (278.66 sq. mtrs.) in Sy. No. 74/6 in Balamrai Co operative Housing Society, situated at East Marredpally, (Mahendra Hills), Seunderabad cantonment, Secunderabad vide Lr. No. SCB/EB/Plot No.256, Sy. No. 74/6/G Balamrai CHS/4953252 dated 16.09.2014 as arbitrary, illegal, invalid and contrary to the provisions of the Cantonment Act, 2006 and the rules and bye laws made there under apart from violation of Article 14 and 21 of the Constitution of India and set aside the same and consequently direct the 1st respondent to grant building permission for ground floor as per the revised plans submitted by the petitioner in Plot bearing No. 256 admeasuring 333. 33 sq.yards (278.66 sq. mtrs) in Sy. No.74/6 in Balamrai Co-operative Housing Society, situated at East Marredpally, (Mahendra Hills), Seunderabad cantonment, Secunderabad, without insisting NOC from 2nd respondent.”

3. When the matter is taken up for hearing, learned counsel for the petitioner brought to the notice of this Court that the application submitted by the petitioner for construction of the ground floor in Plot No.256 in Sy.No.74/6 in Balamrai Co-operative Housing Society, East Marredpally, Secunderabad has been processed and permission has been granted.

4. In that view of the matter, this Court is of the opinion that no further orders are required in the Writ Petition.

5. Accordingly, the Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

P. KESHA VA RAO,J

Date: 29.11.2018

KPM

