

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41161 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 3rd respondent, in not granting the permission for construction of a house in the schedule property admeasuring 170 sq. yards out of Ac.10½ cents situated at Sy.No.47/1 of Vedula Narava Village, Sabbavaram Mandal, Visakhapatnam District, by considering the application dated 27.10.2018, submitted by the petitioners seeking approval of the building plan, as illegal and arbitrary.

A perusal of the application dated 27.10.2018 would show that the petitioners herein made a representation to the Zonal Commissioner, Gajuwaka, Visakhapatnam District, seeking approval of the building plan made for construction of a house in the subject property. The representation of the petitioner does not refer to enclosure of the building plan along with the representation. The enclosures as per the representation of the petitioner are 1) Pass book 2) Gift deed, 3) Survey Report and 4) Encumbrance Certificate. Though these documents by themselves warrant issuance of the building permission, in the absence of any building plan.

Learned Standing Counsel for the 2nd respondent-Municipality would submit that if the petitioner intends to have a building plan approved, he should make an application through online by enclosing the relevant documents along with the building plan, in which event, the 2nd respondent, shall deal with the same in accordance with law.

Having regard to the above, the writ petition is disposed of directing the petitioners to make an application as required under law enclosing all the necessary documents more particularly the building

plan, in which event, the 2nd respondent, shall deal with the same, in accordance with law, at the earliest. No order as to costs.

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

C. PRAVEEN KUMAR,J

Date:15.11.2018.
Gk



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