

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24971 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“.....to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent vide Lr.No.G1/1898/2019 dated 15.07.2019 rejection of the application dt: 4.7.2019 and 8.7.2019 as being illegal arbitrary unjust and unconstitutional and consequently direct the respondent Nos.1 to 3 here forthwith act upon the application of the petitioner dt: 4.7.2019 and 8.7.2019 to direct the respondent No.2 forthwith to grant reconstruction permission of above said house of the petitioner without insisting on property documents and set aside the same.”

Heard learned counsel for petitioner and learned Standing Counsel for Nalgonda Municipality appearing for respondent No.2.

Admittedly, there is no rule or order allowing the respondent authorities to accord sanction for construction without insisting upon necessary documents. However, it is the pre-requisite for issuance of a writ of Mandamus that there is enforceable right in favour of the litigant and there is corresponding duty on the part of the respondent authorities to

perform. Inasmuch as the petitioner failed to establish the same,
no writ of Mandamus can be issued by this Court.

Accordingly, this Writ Petition is dismissed.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

13th NOVEMBER, 2019.

CHALLA KODANDA RAM, J

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