

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 25753 OF 2019

ORDER :

This writ petition is filed challenging the action of the respondents in not granting building permission to the petitioners in respect of property bearing No.7-4-104/2A, admeasuring 444.44 Sq.Yards, situated at Sy.No.142, Medhara Basthi, Kothagudem and for a consequential direction to the 2nd respondent to consider the application made by the petitioners for building permission.

The case of the petitioners is that petitioners made application for grant of building permission dt.25.01.2019 and the respondents have ultimately issued a short fall notice 13.08.2019 specifying some deficiencies. Thereafter though the petitioners complied with the said deficiencies, the respondents have not granted building permission to the petitioners.

Learned Counsel for the petitioners submits that petitioners have complied with the deficiencies by filing representation dt.14.09.2019, but the competent authority i.e. 2nd respondent has not passed any orders on the said representation.

Learned Standing Counsel for 2nd respondent municipality submits that the District Collector, Kothagudem has addressed a

letter to the 3rd respondent for conducting survey in Survey No.142.

In this case it is to be seen that when the petitioners have complied the deficiencies mentioned in the shortfall notice issued by the respondents dt.13.08.2019, the 2nd respondent would have considered the same and passed appropriate orders on the building permission of the petitioners, instead of keeping the same pending.

In view of the same, without expressing any opinion on merits, the 2nd respondent is directed to dispose of the application of the petitioner dt.25.01.2019 for grant of building permission after considering the compliance made by the petitioners vide representation dt.14.09.2019 in pursuance to the shortfall notice dt.13.08.2019, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

02.12.2019
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