

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.33565 of 2018

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in returning/refusing the application of petitioner for building permission through shortfall letter No.3/C1/13126/2018 dated 13.08.2018 stating that there are two layouts existing, as illegal and arbitrary.

2. The reasons stated in the shortfall letter dated 13.08.2018 are as under:

“The applicant has submitted layout copy certified by erstwhile officials of Town Planning Wing. Kapra Circle. In view of two layouts existing in Sy.No.100, clarification sought from Head Office.

3. Heard learned counsel for the petitioner and learned Standing Counsel for the 2nd respondent.

4. The impugned rejection on the ground that the clarification is required from the Head Office is completely arbitrary and further, if at all any clarification is required, the petitioner ought to have put on notice and his application cannot be rejected till clarification is received.

5. In those circumstances, the rejection of the application made by the petitioner is not sustainable and the impugned letter is accordingly set aside, with a direction to the respondents to process the application of the petitioner, and if at all any clarification is received, the same may be put on notice and clarify the same to the

petitioner. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

3rd January, 2019

CHALLA KODANDA RAM, J

sj