

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1035 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the third respondent Municipality.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an order or a writ more particularly in the nature of Mandamus by declaring impugned action of the respondent No.3 in not granting the building permission to the petitioner on his building construction plan submitted on 3-5-2019 with file No.3087 / W1 / 2019 / 0018. 4 in favour of the petitioner in Sultanabad Village of Peddapally District as arbitrary, illegal, violative of principles of natural justice and rule of equity violative of section 212 and 213 of the Municipalities act and Articles 14, 19(1) of the Constitution of India and further be pleased to direct the respondent No.3 herein to pass orders for granting said building permission with granting house No. to the petitioner forthwith in the interest of justice and equity and pass such other order or orders as this deemed fit and proper.'

3. During the course of hearing, learned Government Pleader placed on record the Shortfall Intimation Letter dated 05.11.2019 issued to the petitioner. From the perusal of the said letter, it is revealed that the petitioner has to furnish link documents as well as the title deeds. However, learned counsel appearing for the petitioner submits that all the link documents along with title deeds have been enclosed to the application.

4. In these circumstances, the third respondent is directed to consider the application of the petitioner for issuance of building permission and pass appropriate orders if the shortfalls mentioned in the letter dated

05.11.2019 are already complied with. This exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAVA RAO

Date:28.01.2020

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