

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1333 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the second respondent municipality.

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

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent for not considering the petitioner's representation dated 11.03.2019 for construction of compound wall to petitioner vacant site in Sy.No. 168/2, 169 & 170/1 (LP No.2/97 & 6/93) to an extent of 500 Sq. yards situated at Mahabubabad, Warangal District is illegal, arbitrary, unconstitutional and contrary to the Provisions of the Telangana Municipal Act being violation of Articles 14 and 300-A of the Constitution of India and consequently direct the 2nd respondent to grant permission against the petitioner's application dated 11.03.2019 for construction of compound wall to the petitioner's vacant site situated in Sy.No.168/2, 169 & 170/1 (LP No.2/97 & 6/93) to an extent of 500 Sq. yards situated at Mahabubabad, Warangal District, and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.'

3. Learned counsel appearing for the petitioner submits that in spite of the petitioner's application/representation dated 11.03.2019 for construction of a compound wall, the second respondent municipality is not considering the application and granting permission for construction of a compound wall.

4. However, learned standing counsel for the second respondent municipality submits that the second respondent municipality is accepting

the applications through online and that if any representation/application is submitted manually, the same cannot be considered.

5. Upon which, learned counsel for the petitioner brought to the notice of this Court the proceedings in Roc.No.G1/TP/1508/2018-19 dated 11.03.2018 addressed by the Municipal Commissioner, Mahabubabad District, to the Director of Town and Country Planning, Government of Telangana, A.C. Guards, Hyderabad. A perusal of the said letter indicates that the second respondent municipality itself admitted that the petitioner applied for building permission to the second respondent through online mode.

6. In these circumstances, the writ petition is disposed of directing the second respondent municipality to consider the application/representation dated 11.03.2019 submitted by the petitioner and pass appropriate orders as per law within a period of four weeks from the date of receipt of a copy of this order. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAVA RAO

Date:23.01.2020

PGS