

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.28703 of 2019

ORDER:

Heard the learned counsel for the petitioners, the learned counsel for the respondent No.3 and the learned standing counsel appearing for the respondent No.2.

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

"... this Hon'ble Court may be pleased to issue a Writ of mandamus or any other appropriate Writ or Writs, Order or Orders declaring the action of Respondents more particularly the Respondent No.2 is unlawful, arbitrary and in violation of Laws and consequently to cancel the permission Dated 11.03.2019 vide Application No.1/C20/22171/2019 and pass such other and further order or orders as are deemed fit and proper in the circumstances of the case and in the interest of justice."

3. During the course of arguments, the learned standing counsel appearing for the respondent No.2 placed on record Lr.No.1/C20/22171/2018 dated 26.01.2020 issued by the respondent No.2 – Corporation to the GPA holder of the petitioners.

4. A perusal of the said letter would indicate that as on the date of the issuance of the said letter, no permission was issued in favour of the respondent No.3. In fact, the respondent No.3 filed building application seeking permission. It is also further mentioned in the said letter that the objection raised by the GPA holder of the petitioners will be examined in detail and if necessary, hearing will be conducted calling all the parties concerned before disposal of the building application.

5. The aforesaid letter evidences that no permission has been granted to the respondent No.3 for construction of the building.

Therefore, the writ petition, as filed, is premature and is liable to be dismissed.

The writ petition is accordingly dismissed. As a sequel, pending miscellaneous petitions, if any, shall stand dismissed. There shall be no order as to costs.

P. KESHAVA RAO, J

January 27, 2020
DSK

