

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.41869 of 2015

-
29.12.2015

Between:
M.Pavani

.. Petitioner

and

The Greater Hyderabad Municipal Corporation,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mrs.A.Deepthi

Counsel for respondent No.3: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.1 and 2: --

-

The Court made the following:

-

-

-

-

-

-

-

-

-

ORDER:

The application of the petitioner for permission to construct a compound wall in survey No.60, Madinaguda, Sherlingampally, Ranga Reddy District, is kept pending by respondent Nos.1 and 2.

The information furnished to the petitioner under the Right to Information Act, 2005, by respondent No.2 shows that the said application is not being disposed of as the Corporation is awaiting remarks/clarifications/NOC (No Objection Certificate) from the District Collector, Ranga Reddy District, in respect of the title of the petitioner.

In a catena of decisions, this Court held that the Municipal Corporations cannot insist on production of NOC from the Revenue Authorities as all that it needs to be satisfied is whether the person, who seeks building permission, is in lawful possession and having *prima facie* title (see **Hyderabad Potteries Private Limited V. Collector, Hyderabad District and another**^[1] and **District Collector V. N.Krishna Mohan**^[2]).

In the light of the aforementioned decisions, respondent Nos. 1 and 2 are directed to dispose of the petitioner's application for building permission within a period of two weeks from the date of receipt of a copy of this order, without insisting on production of NOC by the petitioner or without awaiting NOC from the District Collector.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.54000 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

29th December, 2015

GHN

[\[1\]](#) 2001(3) ALT 200

[\[2\]](#) 2000(3) ALT 225