

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

WRIT PETITION Nos.36123 and 37095 of 2015

-
07.12.2015

W.P.No.36123 of 2015:

Between:

Dr.Dinkar Bhole and others

.. Petitioners

and

The State of Telangana,
Represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.Vedula Srinivas

Counsel for respondent No.1: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for other respondents:--

W.P.No.37095 of 2015:

Between:

M/s.Landmark Constructions, Hyderabad and others

.. Petitioners

and

The Greater Hyderabad Municipal Corporation, Hyderabad and another

.. Respondents

Counsel for the petitioners: Mr.Vedula Srinivas

Counsel for respondent No.1: Additional Advocate General (TS)

Counsel for respondent No.2: Mr.K.Goverdhan Reddy

-

The Court made the following:

COMMON ORDER:

W.P.No.37095 of 2015 is filed feeling aggrieved by the proceedings/letter No.81886/CP/CZ/GHMC/2015-1, dated 03/04.11.2015, of the Zonal Commissioner of respondent No.1 – Greater Hyderabad Municipal Corporation, whereby he has kept the building permit No.43607/ZC/CZ/Cir-10/2015, dated 15.07.2015, granted in favour of the petitioners in abeyance. W.P.No.36123 of 2015 is filed by respondent No.2 in W.P.No.37095 of 2015, in the capacity of G.P.A.holder of Dr.Dinkar Bhole and two others shown as the petitioners therein, for appropriate directions to the Corporation to take action for cancellation of the aforesaid building permit.

On 16.11.2015, this Court, while suspending the impugned proceedings, dated 03/04.11.2015, directed the Zonal Commissioner, Central Zone of the Corporation to file his personal affidavit to trace his power to keep a building permit in abeyance under the provisions of the Greater Hyderabad Municipal Corporation, 1955 (for short 'the Act') and the Rules made thereunder.

Today, at the hearing, Mr.Gourav Uppal, Zonal Commissioner, Central Zone of the Corporation is personally present and Mr.J.Ramachander Rao, learned Additional Advocate General for the State of Telangana, fairly submitted that as the Zonal Commissioner was advised to the effect that he is not vested with the power to keep a building permit in abeyance, he has issued proceedings, dated 05.12.2015, withdrawing the impugned proceedings, dated 03/04.11.2015.

As regards the grievance (of respondent No.2 in W.P.No.37095 of 2015) in W.P.No.36123 of 2015, the learned Additional Advocate General (TS) submitted that his representation, dated 14.10.2015, will

be considered strictly within the parameters of Section 450 of the Act and after holding a detailed enquiry, in which notices will be given to the parties concerned, an informed decision will be taken and the same will be communicated to the parties concerned within a period of one month from the date of receipt of a copy of this order.

In view of the aforementioned subsequent event and placing on record the aforementioned submissions of the learned Additional Advocate General (TS), both the Writ Petitions are disposed of.

As a sequel to disposal of these Writ Petitions, W.P.M.P.No.46463 of 2015 in W.P.No.36123 of 2015 and W.P.M.P.No.47760 of 2015 and W.V.M.P.No.4458 of 2015 in W.P.No.37095 of 2015 shall stand disposed of.

C.V.NAGARJUNA REDDY, J

07th December, 2015

GHN