

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8599 of 2015

Date: 01-04-2015

Between:

Mir Hasnain Ali Khan and another

.. Petitioners

AND

The Greater Hyderabad Municipal Corporation,

Represented by its Commissioner

.. Respondent

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8599 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the action of the respondent in not according permission for construction of commercial building consisting of 2 cellars, ground + four upper floors in the premises bearing H.No.10-5-3/A & A/2, admeasuring 1679 square yards on Plot No.16, Survey No.27 (Old Sy.No.162) situated at Masab Tank, Hyderabad despite submitting all the documents sought by its pursuant to building application dated 26-04-2014 with CSC No.25639/ 26/04/2014/HO by the petitioners as illegal and arbitrary and violative of provisions of Greater Hyderabad Municipal Corporation Act and for a consequential direction to the respondent to accord permission to the petitioners as per the Building Application dated 26-04-2014.

2. The case of the petitioners is that they are absolute owners and possessors of the premises bearing H.No.10-5-3/A/2, admeasuring 746 square yards on Plot No.16, Survey No.27 (Old Survey No.162), situated at Masab Tank, Hyderabad having purchased the same under registered sale deed bearing document No.998/2014 dated 05-03-2014 and also bearing No.H.No.10-5-3/A, admeasuring 933 square yards on Plot No.16, Survey No.27 (Old Survey No.162) situated at Masab Tank, Hyderabad having purchased the same under registered sale deed bearing document No.999/2014, dated 05-03-2014. It is stated that as they intend to construct a commercial building consisting of 2 cellar, ground plus four upper floors over the subject property by dismantling the existing structures over it, made an application on 26-04-2014 before the respondent along with requisite fee of Rs.10,000/- for grant of building permission, but the respondent authority neither considered the application nor passed any orders thereon. Aggrieved by the said inaction of the respondent Corporation, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and the learned standing counsel for the respondent Corporation.

4. Having regard to the facts and circumstances of the case, since it is stated that the application of the petitioner dated 26-04-2014 for grant of building permission is pending, it is for the competent authority to consider the same and pass appropriate orders thereon in accordance with law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of the order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 01-04-2015

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