

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

WRIT PETITION No.35532 of 2015

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02.11.2015

Between:

Smt.Gannu Rama Devi @ B.Rama Devi

.. Petitioner

and

The State of Telangana,

represented by its Principal Secretary,

Municipal Administration Department, Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.S.Lakshmikanth

Counsel for respondent No.1: Government Pleader for

Municipal Administration and Urban Development

Counsel for respondent Nos.2 and 3: Smt.Pingali Lakshmi

standing counsel

(print the name if vakalat filed)

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to set aside proceedings in Roc.No.G1/31362/2014-15, dated 15.10.2015, of respondent No.3, whereby he has rejected the petitioner's request for revising the building plan on the ground that a draft master plan proposing 150 feet wide road is awaiting approval.

At the hearing, Mr.S.Lakshmikanth, learned counsel for the petitioner, has submitted that this Court by order, dated 02.09.2015, in W.P.No.28198 of 2015, declared the action of respondent No.2 in rejecting the building permission on the ground of draft master plan awaiting approval as *ex facie* illegal.

Smt.Pingali Lakshmi, learned standing counsel for respondent Nos.2 and 3, has not disputed the above submission.

Inasmuch as the draft master plan is not approved by respondent No.1, the same cannot be made a ground for rejecting the petitioner's request for revising the building permission.

Therefore, the impugned proceedings in Roc.No.G1/31362/2014-15, dated 15.10.2015, of respondent No.3, are set aside, and respondent Nos.2 and 3 are directed to reconsider the petitioner's application without reference to the draft master plan and communicate their decision to the petitioner within a period of one month from the date of receipt of a copy of this order.

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.45638 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

02nd November, 2015

GHN