

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.547 OF 2015

ORDER

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This writ petition is filed for a writ of mandamus declaring the action of the 2nd respondent in not receiving and considering the petitioner's application for grant of permission for building construction in respect of petitioner's property house bearing Municipal No.16-2-140/3A, Plot No.3/A, admeasuring 330 sq.yds equivalent to 275.88 sq.mtrs, situated at Dhule Khan Bagh, Akber Bagh, Malakpet, Hyderabad thereby insisting on a "No Objection Certificate" from the Revenue Authorities/District Collector, Hyderabad as illegal and arbitrary and for a consequential direction to the 2nd respondent to receive and consider the petitioner's application without insisting on a "No Objection Certificate" from the Revenue authorities/District Collector, Hyderabad and release the sanction plan for the construction of the building in the said property.

Heard the learned counsel for the petitioners and Sri C.Damodar Reddy, learned Standing Counsel for the 2nd respondent.

Both the counsel stated that this issue is covered by the judgment in ***Hyderabad Potteries Private Limited v. Collector, Hyderabad District & another***^[1] and ***District Collector v. N.Krishna Mohan***^[2]. It is also stated that, following the said decisions, this Court in similar circumstances disposed of W.P.No.32363 of 2011 directing the 1st respondent to take appropriate decision on the application made by the petitioner therein seeking permission to construct a building in accordance with the provisions of the Hyderabad Municipal Corporation Act, 1955 and the Building Rules and Regulations made there under, without insisting on production of "No Objection Certificate" from the Revenue Authorities.

In view of the above decision, this Writ Petition is also disposed of directing the 2nd respondent-GHMC to receive and consider the application made by the petitioner seeking permission to construct a

building, in accordance with the provisions of the Hyderabad Municipal Corporation Act, 1955 and the Building Rules and Regulations made there under, without insisting for production of 'No Objection Certificate' from the Revenue Authorities. There shall be no order as to costs.

Consequently, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER

REDDY,J

Date: 21.01.2015

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

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