

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 24728 of 2015

Date :03-9-2015

Between :

M Rajesh S/o M Srinivas
R/o H No. 7-1-606,
Laxmi Arcada, Ameerpet, Hyderabad

Petitioner

And

The State of Telangana
Rep by its Principal Secretary,
Municipal Admn and Urban Devp Department,
Secretariat, Hyderabad and others

Respondents

The Court made the following:

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ORAL ORDER:

According to petitioner, he along with one Senapathi Ram Babu are absolute owners and possessors of land admeasuring 384 sq yards, Block-E, Ward No.7, near Bapunagar, S R Nagar, Yousufguda, Hyderabad. They stated to have submitted an application on 30.8.2010 for grant of building permission to construct building and the said application was earlier not processed on the ground that petitioner did not submit 'no objection certificate' from the District Collector. However, later vide endorsement dated 26.3.2015 the District Collector has granted 'no objection' and same has been brought to the notice of the respondent municipal corporation, but so far no building permission is granted and on the contrary the corporation is interfering with the possession of the petitioner and trying to dispossess him.

2. When the matter is taken up, learned counsel for petitioner placed before this Court recent representation addressed to the Chief City Planner, Town Planning Section, GHMC, Hyderabad and submitted in the Planning Section, Head Office, GHMC, Hyderabad on 12.8.2015, wherein reference was made to grant of 'NOC' by the District Collector on 26.3.2015 and requested to process the building permission application dated 30.8.2010. Learned counsel for petitioner referring to the recent representation submitted by petitioner dated 12.8.2015 seeks disposal of the writ petition with a direction to pass appropriate orders on the building application submitted by petitioner on 30.8.2010.

3. Learned standing counsel for respondent GHMC on instructions submitted that 'NOC' stated to have been issued by the District Collector on 26.3.2015 and relied upon by the petitioner was subsequently kept in abeyance and that appropriate orders would be passed on the building application submitted by the petitioner in accordance with law. Learned standing counsel further submitted that respondent-GHMC is not interfering with the possession of the petitioner.

4. In the circumstances, without expressing any opinion on the merits of the matter, writ petition is disposed of with a direction to respondent-GHMC to consider the building permission application stated to have been submitted by the petitioner on 30.8.2010 along with request of the petitioner vide representation dated 12.8.2015 and pass appropriate orders as

warranted under law expeditiously, preferably within a period of four weeks. Further, till a decision is taken by the respondent-GHMC on the building permission application of the petitioner, respondents shall not interfere with the possession of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:03.9.2015
TVK

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