

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.3369 of 2015

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Date: 16-02-2015

Between

Mohamed Afzal
and 3 others

... Petitioners

and

The State of Telangana,
Rep. by its Prl. Secretary,
MA & UD Dept.,
Secretariat, Hyderabad;
and 2 others

... Respondents

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Order:

Heard Sri K.Jamali, learned counsel appearing for the petitioners, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent and Sri C.Damodar Reddy, learned Standing Counsel appearing for the respondents 2 and 3- GHMC.

2. This writ petition is filed seeking to declare the action of the respondents in asking the petitioners to produce the 'No Objection Certificate' from the District Collector, Hyderabad for grant of permission for construction in house bearing Municipal No.16-6-65/A (Old No.16-6-65), admeasuring 310.76 square yards situated at Chaderghat, Hyderabad as illegal, arbitrary and consequently direct the respondents, more particularly the respondents 2 and 3, to consider the petitioner's request for building permission without insisting upon 'No Objection Certificate' of District Collector, Hyderabad in respect of the said house.

3. The issue involved in the present writ petition is squarely covered by the judgments of this Court in **Hyderabad Potteries Pvt. Ltd. v. Collector, Hyderabad District**^[1], **District Collector v. N.Krishna Mohan**^[2] and W.P.Nos.32363 of 2011 and 33572 of 2014, whereunder it is held that the GHMC has to take appropriate decision on the application made by the petitioner seeking permission for constructing a building in accordance with the provisions of the Hyderabad Municipal Corporation Act, 1955 without insisting for production of 'No Objection Certificate' from the Revenue authorities.

4. In the aforesaid circumstances, the present writ petition is also disposed of in terms of the ratio laid down

in the aforesaid judgments directing the respondents not to insist upon the production of 'No Objection Certificate' from the Revenue authorities for the purpose of granting building permission. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

R.KANTHA RAO, J.

16th February, 2015.
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16th February, 2015.
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[\[1\]](#) 2001 (3) ALT 200
[\[2\]](#) 2000 (3) ALT 225