

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

W.P.No.34490 of 2011

Between:

S. Prabhakar

... Petitioner/Appellant (s)

And

Greater Hyderabad Municipal Corporation,
Town Planning Section and another

... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 05.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.34490 OF 2011

ORDER :

This writ petition is filed for a *Mandamus* declaring the action of the 1st respondent in rejecting the application of the petitioner under layout regularisation scheme (LRS) for the plot Nos.569 to 574 vide proceedings in Lr.No.LRS/11033/CR-3/EZ/GHMC/2008/403 dated 11.02.2009, as illegal and arbitrary and contrary to the Rules of G.O.Ms.No.902, M.A & UD (MI) Department dated 31.12.2007 and G.O.Ms.No.113, M.A. & UD (MI) Department dated 31.01.2008 and for a consequential direction to the respondents to regularise the plots of the petitioner situated in Sy.No.66/11 of Mansoorabad Village under Layout Regularisation scheme.

When the writ petition is taken up for hearing, it is submitted by the learned counsel for the petitioner that the subject matter of the writ petition is squarely covered by the order dated 08.11.2013 passed by this Court in W.P.Nos.4407 of 2009 and 5530 of 2009 and the same is not disputed by the learned Standing counsel for the respondents.

Since the issue involved in this writ petition is squarely covered by the above order, for the reasons

alike in the above writ petition, this writ petition is disposed of setting aside the impugned order dated 11.02.2009 and the matter is remanded to GHMC, to enable it to deal with the matter afresh and pass appropriate orders on merits and in accordance with law as expeditiously as possible preferably within a period of three (03) months from today and till any such final orders are passed, the structures raised by the petitioner in his plots shall not be dealt with. However, the petitioner also shall not undertake any further constructions either internal or otherwise or any modification to the existing structures without specifically obtaining permission from GHMC in that regard. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

Let a copy of the order in W.P.Nos.4407 of 2009 and 5530 of 2009 be annexed to this writ petition.

A.RAJASHEKER REDDY, J

05.08.2015

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