

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

WRIT PETITION No.41468 of 2015

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22.12.2015

Between:

Mohammed Azam Ali Khan

.. Petitioner

and

The State of Telangana,
represented by its Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.K.Ramakanth Reddy
for M/s.Acquitas Juris Law Firm

Counsel for respondent No.1: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.2 and 3: --

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The Court made the following:

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ORDER:

This writ petition is filed with the purported grievance that respondent No.3 is not granting permission to the petitioner for construction of stilt plus four floors as per his entitlement.

At the hearing, Mr.K.Ramakanth Reddy, learned counsel for the petitioner, has submitted that his client has already obtained building permission for construction of stilt plus one four, that as he is intending to construct building with higher floors, his client has filed an application for that purpose and that respondent No.3 is neither disposing of the said application nor permitting his client to construct building as per the sanctioned plan. He has, however, conceded that neither the petitioner has filed a copy of the building permission nor the application is filed in *pro forma* under the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 (for short 'the Act'). The learned counsel further submitted that as the respondents refused to receive the application on-line, the petitioner has submitted his representation, dated 14.10.2014, to the Zonal Commissioner for grant of building permission for construction of stilt plus four floors.

A perusal of the aforesaid representation shows that the proposed plan, in respect of which approval is sought, is not enclosed. There is no averment in the affidavit filed in support of this writ petition to the effect that the respondents have not allowed the petitioner to send the application on-line. The petitioner has also not impleaded the Zonal Commissioner to whom the representation, dated 14.10.2014, is stated to have been sent.

In the above facts and circumstances of the case, I am not inclined to entertain this writ petition on the incomplete pleadings averred and the insufficient material filed.

Hence, the Writ Petition is dismissed, however, with liberty to the petitioner to avail a fresh remedy with proper pleadings and material in support thereof.

As a sequel to dismissed of the Writ Petition, W.P.M.P.No.53540 of 2015 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

22nd December, 2015
GHN