

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.13682 of 2015

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Between:

1. P. Nagaraju and another

PETITIONERS

AND

1. The State of Telangana, rep. by Principal Secretary (Municipal Administration & Urban Development) Secretariat Buildings, Hyderabad, and others.

RESPONDENTS

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.13682 of 2015

ORDER:

Heard learned counsel for the petitioners and Sri Pashyam Krishna Reddy,
learned Standing Counsel for respondents 2 and 3.

The petitioners filed this writ petition challenging the action of the 3rd respondent in refusing to receive their application dated 8.04.2015 for construction of house in the premises bearing Municipal No.16-2-741/45, on Plot No.20, admeasuring 180 Sq. yards, situated at Andhra Bank Colony, Gaddiannaram, Moosarambagh, Hyderabad, and insisting for NOC from the 4th respondent, as illegal and arbitrary.

When matter is taken up for admission, the learned counsel for the petitioner submitted that this writ petition is covered by the decision rendered by this Court in **Hyderabad Potteries Private Limited v. Collector, Hyderabad** wherein this Court has held that a local authority has no competence to insist on production of No Objection Certificate from the revenue authorities as a pre-condition for processing and considering an application for permission for construction of a building.

In view of the above decision, this writ petition is disposed of directing the respondents to receive and process the application of the petitioners for building permission concerning the property bearing Municipal No.16-2-741/45, on Plot No.20, admeasuring 180 Sq. yards, situated at Andhra Bank Colony, Gaddiannaram, Moosarambagh, Hyderabad, without insisting for submission of No Objection Certificate from the revenue authorities. No order as to costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J.

17th June, 2015

Js.