

**MONDAY, THE TWENTY NINTH DAY OF JUNE TWO
THOUSAND AND FIFTEEN**

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18530 of 2015

Smt. A. Komala, W/o. Devender Rao,
Aged about 55 years, R/o. H.No.1-9-114,
Postal Colony, Subedari,
Hanmakonda, Warangal District.

.. Petitioner

AND

State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & 3 others

.. Respondents

The Court made the following:

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ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel representing the respondent Municipal Corporation.

2. Both the counsel agree that the subject matter of the writ petition is covered by orders passed by this Court in several writ petitions including W.P.Nos.37378 of 2014 and 10465 of 2014.

3. Application submitted by the petitioner on 17.02.2014 for grant of building permission was rejected by the Deputy City Planner, Warangal Municipal Corporation, Warangal (3rd respondent) on the ground that it did not submit the revised plan showing the road width of 15 feet as proposed Draft Master Plan and the plan submitted by the petitioner is contrary to building rules, proposed Master Plan and zoning regulations. It is not in dispute that no final notification is issued and that the Master Plan is still in the draft stage only. Therefore, the Draft Master Plan cannot be said to have come into force.

4. So following the order, dated 11.04.2014, in W.P.No.10465 of 2014, the Writ Petition is allowed and the respondents are directed to consider the application of the petitioner

for making construction in the subject property in accordance with the existing Master Plan and the endorsement vide Roc.No. G1/6555/2014, BA No.1160/13-14, dated 02.09.2014, issued by the respondents is set aside. Within four (4) weeks from the date on which the petitioner resubmits her application for permission, respondents 2 and 3 shall consider the same in accordance with law, including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the Rules and Byelaws made thereunder; take a decision thereupon; and communicate the same to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 29th June, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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