

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

WRIT PETITION NO.28729 OF 2015

DATED:02-12-2015

Between:

Mr. K. Mohan Reddy

... Petitioner

And

The Commissioner

Greater Hyderabad Municipal Corporation

Lower Tank Bund, Hyderabad

and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. B. Vijaysen Reddy

COUNSEL FOR RESPONDENT NO.3: A.G.P. for Municipal
Administration

(TS)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed aggrieved by rejection of the application filed by the petitioner for grant of permission for construction of compound wall and ground floor at premises bearing No.8-2-686/11, situated at Road No.12, Banjara Hills, Hyderabad, on the ground that he has not submitted the localization sketch, TSLR certificate issued by the Tahsildar, link documents and encumbrance certificate.

Mr. P. Kesava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation, invited this Court's attention to the information furnished to the petitioner under Right to Information Act, 2005 wherein it is *inter alia* stated as under:

"It is submitted that the plot boundaries are not tallying with reference to the documents. Further, it is observed that there are permanent injunction orders vide OS. No.16/1992 of the XII Asst. Judge, CCC, Hyderabad, restraining the Revenue Authorities from interfering in the site under reference."

Learned Standing Counsel submitted that while ordinarily a localization sketch is not required in respect of a plot in an approved layout, as boundaries are not tallying between the document and the ground position, localization sketch is insisted upon. He has, however, fairly conceded that the T.S.L.R. Certificate is not required to be produced in view of the judgment of this Court in *Hyderabad Potteries Private Ltd. v. Collector, Hyderabad District*^[1].

Mr. B. Vijaysen Reddy, learned counsel for the petitioner, submitted that his client will produce the localization sketch after getting the same demarcated through the revenue officials, and also produce the link documents and encumbrance certificate to satisfy the respondents on the *prima facie* title of the petitioner.

In the light of the above submissions of the learned counsel for the parties, this writ petition is disposed of with a direction to the respondents to receive a fresh application for building permission from the petitioner without insisting on T.S.L.R. Certificate. The petitioner shall, however, produce the localization sketch, link documents and encumbrance certificate along with his application. Within one month of receipt of such application, respondent Nos.1 and 2 shall take a decision and communicate the same to the petitioner.

As a sequel to disposal of the writ petition, W.P.M.P. No.37229 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

02-12-2015

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[\[1\]](#) 2001(3) ALD 600 = 2001 (3) ALT 200