

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27870 of 2015

Dated : 04.09.2015

Between:

Mr. Chintala Ramesh S/o.Late C. Vittal Rao,
Aged about 43 yrs, Occu : Business,
R/o.Flat No.103, Raja Ratna Mansioin,
1-10-16, Ashok Nagar, Hyderabad, T.S. & another.

.. Petitioners

And

Greater Hyderabad Municipal Corporation,
Rep., by its Chief Commissioner, Tank Bund,
Hyderabad & another.

.. Respondents

This Court made the following :

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ORDER :

The petitioners grievance is that they are unable to submit application for construction of building in the premises owned by them since one of the columns required to be fulfilled is production of TSLR Certificate and No Objection Certificate from the revenue authorities. The petitioners therefore, filed this writ petition challenging the said insistence.

2. Learned Standing counsel, on instructions, submits that the online application also contain one column, requiring filling up of production of certificate, but that certificate is never insisted and there are clear instructions issued by the Commissioner, Greater Hyderabad Municipal Corporation, in letter No.245/TPS/GHMC/HO/2014 dated 19.03.2015, not to insist for production of No Objection Certificate from the revenue department, at the time of submission of application. The extract of relevant entries in Revenue/TSLR/Municipal Records, with the application through e-seva is not insisted, but they may be required to ascertain prima facie title and possession of the applicant.

3. Clause 8 in the application format, reads as under :

“Town Survey Land Record from Tahsildar or Revenue Department in case sites falls in Shaikpet (v) & core area of MCH (not applicable for the plots which are covered by previous sanctioned plan).”

4. Having regard to the statement of learned Standing counsel, writ petition is disposed of giving liberty to the petitioners to submit building application through e-seva, without requiring to comply with clause 8 of the building application. However, according to the instructions of the Commissioner, it is permissible for the scrutiny authority to require production of Revenue/TSLR/Municipal records, for prima-facie satisfaction of title and legal possession and as and when such requirement is indicated, the petitioners are required to produce the same.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

4th September, 2015
Rds