

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

MONDAY, THE SEVENTEENTH DAY OF AUGUST TWO
THOUSAND AND FIFTEEN

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Present

HON’BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18453 of 2015

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Between:

Krishna Swamy,
S/o. Narayana Swamy,
Aged 75 years,
R/o. Sebastian Road,
Secunderabad.

.. Petitioner

AND

State of Telangana,
Rep. by its Principal Secretary
Municipal Administration and
Urban Development Authority,
Secretariat Buildings, Hyderabad & another

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18453 of 2015

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ORDER:

The petitioner claims to be the owner of 900 square yards of property in Survey No.16/1, Road No.3, Banjara Hills, Hyderabad. As requested by the 2nd respondent Municipal Corporation, the petitioner agreed to part with 225 square yards of plot from out of the above extent of the plot in exchange of granting to the petitioner transferable development rights. Accordingly, the petitioner consented on 05.01.2006. The 2nd respondent Corporation took possession of the property later. The petitioner submitted building application on 07.02.2006 and the same was rejected on 06.03.2006 alleging that the building height is exceeding the permissible limits as per G.O.Ms.No.423, dated 31.07.1998. According to the petitioner, if relaxed norms are applied by granting him transferable development rights, this condition could not have been insisted. Be that as it may, according to the petitioner, neither the petitioner was paid compensation nor he was given the transferable development rights, but illegally his property was utilized for public purpose. Earlier, the petitioner submitted several representations. On 03.06.2015, the petitioner submitted a detailed representation ventilating his grievance. But so far, no orders are passed.

2. When the matter is taken up for consideration, learned counsel for the petitioner placed before this Court a

letter addressed by the Special Deputy Collector, Land Acquisition, dated 18.06.2015, requesting the Assistant City Planner, Circle-X, Greater Hyderabad Municipal Corporation, Hyderabad, to look into the grievance of the petitioner and submit appropriate report or proposals for acquisition as required by law.

3. Having regard to the fact that the representation submitted by the petitioner, dated 03.06.2015, is under active consideration of the respondents, the Writ Petition is disposed of, without expressing any opinion on merits, directing the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad (2nd respondent) to instruct the competent authority to consider the representation of the petitioner, dated 03.06.2015, and pass suitable orders, as warranted by law, within a period of four (4) weeks from the date of receipt of a copy of this order. 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: 17th August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 17th August, 2015

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