

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8065 OF 2015

ORDER:

This writ petition is filed by the petitioner seeking a writ of Mandamus to declare the action of the 2nd respondent in refusing to receive the building application along with relevant documents from the petitioner made for issuance of construction permission of building/boundary wall and further insisting him for getting 'No Objection Certificate' from the office of revenue authorities as well as AP Housing Board, in respect of the house bearing Municipal No.10.3.761/39/A/C, admeasuring 705 sq. yards, situated at Vijayanagar Colony, Mallepally, Hyderabad as illegal and arbitrary and consequently direct the 2nd respondent to accord permission to the petitioner for construction of building/boundary wall in respect of the subject land, strictly in accordance with law, without insisting the petitioner for production of No Objection Certificate either from the revenue authorities or from AP Housing Board.

Heard Sri Mohd.Moin Ahmed Khadri, learned counsel for the petitioner and Sri R.Radha Krishna Reddy, learned counsel for respondents 1 and 2.

The question involved in this writ petition is whether TSLR Certificate and 'No Objection Certificate' from the Revenue Authorities can be insisted upon by the respondents, in order to receive the application for building permission submitted by the petitioner.

Both the counsel stated that this issue is squarely covered by the judgment of this Court in ***Hyderabad Potteries Private Limited V. Collector, Hyderabad District and another and District Collector Vs. N.Krishna Mohan*** and W.P.No.32363 of 2011.

In view of the above decision, this writ petition is also disposed of directing the

respondent-GHMC to take appropriate decision on the application submitted by the petitioner, seeking permission to construct a building, in accordance with the provisions of the Hyderabad Municipal Corporation Act, 1955 and the Building Rules and Regulations made thereunder, without insisting for production of TSLR Certificate and 'No Objection Certificate' from the Revenue Authorities. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand dismissed.

A.RAJASHEKER REDDY, J

25.03.2015

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