

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20692 OF 2016

ORDER:

The case of the petitioners is that they are the absolute owners and possessors of the premises bearing No.14-3-251/1, at Gosha Mahal, Begum Bazar, Hyderabad. Originally an extent of land admeasuring 1591.66 sq.yards was belonging to the Hyderabad Municipal Corporation and the Municipal Corporation sold the said land to Andhra Saraswathi Balika Patasala Girls High School by resolution dated 04.02.1954. Thereafter, under a registered sale deed dated 14.08.1958, the managing committee of the school exchanged the said land with one Mohd. Mandoor Khan by taking an alternative land, as such, Mohd Mandoor khan became the absolute owner and possessor of the said property vide registered sale deed dated 23.10.1958 bearing document No.503/1958. Subsequently, the petitioner's father purchased an extent of 1289 sq.yards for a valuable consideration of Rs.3,850/- and he has been in continuous possession of the said property till his demise, and thereafter the petitioners became the absolute owners of the said property. When the petitioners made an application to the 3rd respondent for necessary permission to raise constructions in the subject property, the 3rd respondent directed them to obtain No Objection Certificate (NOC) from the 2nd respondent. Accordingly, petitioners made an application to the 2nd respondent for issuance of NOC who inturn called a report from the Tahsildar, Nampally, Hyderabad. Basing on the report of the Tahsildar, the 2nd respondent rejected the application of the petitioners and instructed the 3rd respondent not to grant any permission in respect of the subject premises. Questioning the same, the petitioners filed W.P.No.1303 of 20142 before this Court and this Court disposed of the said writ petition vide order dated 05.03.2014. In pursuant to the orders passed by this Court, the petitioners made a representation dated 13.03.2014 to the 3rd respondent within a period of two weeks from the date of receipt of copy of the order along with all the necessary documents. The 3rd respondent after considering all the documents submitted a report to the 2nd respondent vide Lr.No.1303 /TPS/C5/SZ/GHMC/2012-15 dated 27.07.2014 in compliance with the orders of this Court. Though the report submitted by the 3rd respondent speaks about the sale transaction and also about the grant of permission of six floors, no action is being taken by the 2nd respondent. Aggrieved by the same, the present

writ petition is filed.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue.

Since the 3rd respondent submitted a report vide Lr.No.1303 /TPS/C5/SZ/GHMC/2012-15 dated 27.07.2014 to the 2nd respondent, it is for the 2nd respondent to consider the representation of the petitioners for grant of NOC in the light of the report submitted by 3rd respondent and documents produced by petitioners and pass appropriate orders as per the directions of this Court in W.P.No.1303/2012.

In view of the same, the 2nd respondent is directed to dispose of the representation of the petitioners for grant of NOC in the light of the report submitted by the 3rd respondent vide letter dated 27.07.2015 in accordance with law within a period of eight (08) weeks from the date of receipt of copy of this order and pass appropriate orders thereon.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

29-06-2016
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