

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 35250 of 2016

ORDER:

This Writ Petition has been filed seeking a *mandamus* for declaring the action of the respondent No.2 in refusing the application dated 15.08.2016 in File No.2/C12/01218/2016 of the petitioner for building permission in respect of his house plot bearing Nos.27 and 28 situated in Survey No.44/1 of Mathrusri Cooperative Housing Building Society, Miyapur Village, Serilingampally Mandal, Hyderabad vide proceedings dated 03.10.2016 as illegal, arbitrary and unconstitutional and contrary to the provisions of the Greater Hyderabad Municipal Corporation Act.

It is submitted by both the learned counsel across the Bar that in similar circumstances, with respect to the same survey number, this Court disposed off the Writ Petition No.30635 of 2016 by its order dated 15.09.2016. Hence, both the learned counsel submit that let there be a similar order even in this case.

In view of the above submission made by both the learned counsel, this Writ Petition is disposed of directing the respondent No.2 to consider the application of the petitioner for grant of building permission in the subject land within a period of eight weeks from the date of receipt of a copy of this order, subject to the petitioner satisfying requirement of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and also subject to the petitioner giving an undertaking that the petitioner would not claim equities or costs of the building construction, in the event

L.G.C.No.29 of 2006 been decided against the petitioner, without reference to the letter dated 03.10.2016 of the Commissioner, GHMC, Hyderabad. There shall be no order as to costs.

Consequently, the Miscellaneous Petitions, if any pending shall also stand disposed of.

CHALLA KODANDA RAM, J.

Date:19.10.2016
Ssv

