

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20699 of 2016

ORDER:

The case of the petitioner is that he filed application seeking permission for construction of building in Plot No.177, Survey No.74/9 of Sevamandal Society, Mahendra Hills, situated at East Marredpally, Secunderabad Cantonment before the 1st respondent, but, the 1st respondent by issuing impugned proceedings dated 11.05.2016 rejected the said application on the ground that the petitioner has not enclosed NOC from the 2nd respondent. Aggrieved by the same, present writ petition is filed.

Learned counsel for the petitioner submits that the 1st respondent cannot reject the application for building permission and cannot insist for NOC as held by this Court in ***Hyderabad Potteries Private Limited v. Collector, Hyderabad District*** [\[1\]](#).

Heard Sri K.R.Koteswara Rao, learned Standing Counsel for the 1st respondent.

In view of the above the impugned order dated 11.05.2016 is set aside and the 1st respondent is directed to consider the application submitted by the petitioner seeking permission for construction of building without insisting for NOC from the 2nd respondent and pass orders in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

29.06.2016
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[\[1\]](#) 2001 (3) ALD 600