

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.29632 of 2016

ORDER :

Heard the counsel for petitioners; Sri Sampath Prabhakar Reddy for respondent nos.1 and 3; and the learned Government Pleader for Revenue (Telangana) for respondent nos.2 and 4.

2. The grievance of petitioners in this Writ Petition is that respondents are not granting construction permission to petitioners in spite of applications having been made by them for making constructions in the subject lands.

3. The learned Standing Counsel for Greater Hyderabad Municipal Corporation states that the Joint Collector, Ranga Reddy District had issued a letter dt.31.10.2013 addressing the Commissioner, Town Planning Section (HO), Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad stating that the subject land is being litigated by the State in L.G.C.No.29 of 2006 and not to grant building permissions.

4. It is not disputed that in the L.G.C. initially an order was granted in I.A.No.446 of 2006 on 31.08.2006 prohibiting alienation and permitting constructions by only persons having approved plans, but the said order was set aside by this Court in W.P.No.3973 of 2007 and batch on 02.03.2007.

5. In W.P.No.12861 of 2007 which is arising out of a claim by a person whose permission for construction in the subject land was

rejected, this Court had passed orders on 16.11.2007 directing the respondents to consider grant of building permission, on the petitioner satisfying the requirements of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 [for short, 'the Act'] and giving an undertaking that in the event of L.G.C. pending before the Special Court constituted under the Andhra Pradesh Land Grabbing Prohibition Act, been decided against him, petitioner would not claim any equities or costs of the building constructed by him.

6. Following the above orders, there shall be interim direction to respondent nos.1 and 2 to consider the application of petitioners for grant of building permission in the subject land, subject to petitioners satisfying requirement of Section 428 of the Act and also subject to petitioners giving an undertaking that they would not claim equities or costs of the building construction, in the event L.G.C. been decided against them, without reference to the letter dt.12.02.2014 of the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

7. Accordingly, the Writ Petition is disposed of with the above directions. No order as to costs.

8. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 06-09-2016

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