

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41561 of 2016

Date: 30.11.2016

Between:

Kadiyala Venkata Rao s/o Narsing Rao, Aged 40 years,
Occu: Business, r/o. H.No.9-1-173/A, Shantinagar,
Bhadrachalam, Khammam district and another.

.....Petitioners

And

The State of Telangana, rep.by its Principal
Secretary, Municipal Admn. & Urban Development,
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Alleging building permission application submitted by the petitioners was rejected by Order in File No.3006/0843/W48/2016 (11/9/2016) dated 17.11.2016 on the ground that in the plan submitted by the petitioners, the road affected area is not reflected as per the draft master plan, this writ petition is filed.

2. It is not in dispute that final notification of the master plan is yet to be issued. Without approved master plan, an objection regarding non-compliance of the parameters of the proposed master plan would not have been raised by the competent authority and in number of decisions, this Court has pointed out such action as illegal. In spite of the same, the officers continued to raise the same objection.

3. Since the rejection is not valid in law, the impugned order is set aside and the respondent-Corporation is directed to consider the application submitted by the petitioners without reference to the said objection and pass appropriate orders, as expeditiously as possible, within a period of three (3) weeks from the date of receipt of copy of this order.

4. Accordingly, the Writ Petition is allowed. There shall be no order as to costs. Miscellaneous petitions if any pending shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 30.11.2016
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