

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35366 OF 2016

ORDER:

Heard the learned counsel for the petitioner; the learned Government Pleader for Revenue appearing for respondents 1 to 3 and Sri Chatla Madhu, learned Standing Counsel for GHMC appearing for R.4. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue a Writ of Mandamus or other appropriate order or direction in the nature of a Writ declaring the impugned endorsement bearing No.E1/2384/2015 dated 05.02.2016 issued by the 2nd respondent as null and void, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents to issue ‘No Objection Certificate’ to the petitioner forthwith in the interest of justice.”

3. Learned counsel for the petitioner submits that without issuing notice to the petitioner, the impugned endorsement is made. He also submits that if the impugned endorsement is set aside, the petitioner will make necessary application for withdrawal of application for NOC before the 2nd respondent.

4. In view of the same, the impugned endorsement is set aside enabling the petitioner to make proper representation before the 2nd respondent for withdrawal of the application for NOC, since it is not

required for obtaining building permission as per the Circular No.245/TPS/GHMC/HO/2015, dated 19.03.2015 issued by GHMC. It is to be noted that this Court has not expressed any opinion on merits of the impugned endorsement dated 05.02.2016 and the issue as to whether the subject land is surplus land or not is not decided in this writ petition.

5. With the above observation, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Date:20.10.2016
INL

JUSTICE C. PRAVEEN KUMAR

