

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.36944 OF 2016

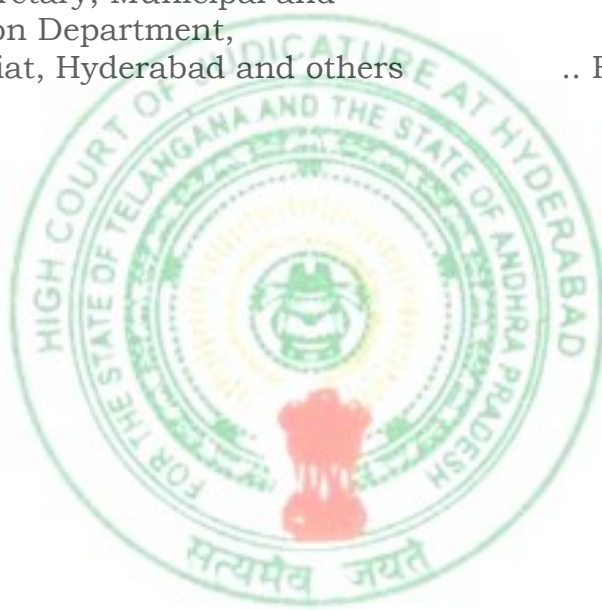
Dated:08.11.2016

Between:

P. Ganga Vara Prasad,
S/o. Late P.B. Rama Rao,
Aged about 56 years,
Occ: Private Employee, R/o.H.No.1-8-29,
Chikkadpally, Hyderabad and another .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Municipal and
Administration Department,
T.S. Secretariat, Hyderabad and others .. Respondents



The Court made the following:

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ORDER:

The petitioners filed this Writ Petition challenging the communication given to them vide letter dated 09.11.2015 by the Assistant City Planner, Circle - 9, Greater Hyderabad Municipal Corporation, the 3rd respondent, wherein they were informed that their application was not processed for the reasons mentioned therein and one of the reasons assigned was that they did not produce TSLR Certificate, though TSLR was struck off and also a right mark was put.

2. Learned counsel for the petitioners would submit that the respondents are insisting on production of TSLR Certificate and such insistence is illegal and contrary to their own circular issued on 19.03.2015 and therefore on that ground the communication dated 09.11.2015 given to the petitioners be set aside and their application be directed to be processed without insisting on production of TSLR Certificate.

3. Learned Standing Counsel for Greater Hyderabad Municipal Corporation appearing for the respondents 2 and 3, on instructions, submits that the authorities are not insisting on production of TSLR Certificate for the purpose of granting permission, more particularly for construction of residential buildings. He further submits that TSLR Certificate is directed to be produced only for the purpose of *prima facie* satisfaction of title to the property.

4. As a matter of course, the respondent – Corporation cannot insist the petitioner for production of TSLR Certificate for the purpose of granting building permission. It is open to the petitioners to go before the competent authority by submitting all the relevant documents and satisfy it with regard to their *prima facie* title and if they satisfy the competent authority with regard to *prima facie* title, the application of the petitioners may be processed, subject to fulfilment of all other conditions. However, if the competent authority is not satisfied with the documents filed before it, it may insist on production of TSLR Certificate for the *prima facie* satisfaction of the title to the property.

5. Subject to the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, filed in this Writ Petition shall stand closed.

Date:08.11.2016

KH

P. NAVEEN RAO, J