

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.25374 of 2016

ORDER:

Heard the learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel for 2nd respondent.

2. Petitioner made an application dt.30-12-2015 to the 2nd respondent for grant of permission to make construction in certain land claimed by her in Bhupalapally village and Mandal, Warangal District. The 2nd respondent issued impugned notice dt.31-05-2016 rejecting petitioner's application on the ground that the land claimed by her is ceiling land and that she should obtain NOC from the Tahsildar.

3. It is settled law that 2nd respondent had no authority to enquire into the issues of title to the property or demand that applicants for building permission should produce NOC from the Tahsildar.

4. Therefore, the Writ Petition is allowed and 2nd respondent is directed to consider the petitioner's application for building permission without reference to the objections raised in the notice dt.31-05-2015 issued by 2nd respondent within four weeks from the date of receipt of a copy of this order. No costs.

5. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 03-08-2016

Note:-

Issue C.C. in a week.

B/o.

kvr