

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No. 19372 of 2017

ORDER:

Heard Sri Mohd. Moin Ahmed Quadri, learned counsel for the petitioner, and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

2. The prayer of the petitioners in this case is as under:

“That this Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of *Mandamus* declaring the action of the respondents particularly the 3rd respondent in not receiving the application along with requisite fees, relevant documents from the petitioner made for issuance of construction permission of boundary wall/building and insisting him for getting No Objection Certificate/TSLR from the revenue authorities in respect of plot No.10 Part (North East), admeasuring 400 square yards or 334.4 square meters in Sy.No.366/P, situated at Attapur Village, GHMC, Rajendranagar Circle, Ranga Reddy District, as illegal and arbitrary and consequently direct the respondents to accord permission to the petitioner, strictly in accordance with law, without insisting the petitioner for production of NOC/TSLR from the revenue authorities.”

3. It is fairly conceded by the learned Standing Counsel for the respondent-Greater Hyderabad Municipal Corporation that the issue is squarely covered by the orders of this Court in earlier Writ Petitions. A copy of the order dated 11.06.2010 in W.P.No.13167 of 2010 is placed before the Court and reflects that following its earlier judgment in **Hyderabad Potteries Private Limited v. Collector, Hyderabad**¹,

¹ 2001(3) ALD 600

this Court held that the local authority could not insist on production of T.S.L.R. Certificate or No Objection Certificate from the revenue authorities as a condition precedent for receiving and processing a building application.

4. For reasons alike, this Writ Petition is disposed of directing the respondents to receive and process the application of the petitioner for construction of boundary wall/building in respect of plot No.10 Part (North East), admeasuring 400 square yards or 334.4 square meters in Sy.No.366/P, situated at Attapur Village, GHMC, Rajendranagar Circle, Ranga Reddy District, without insisting on production of T.S.L.R. Certificate and No Objection Certificate from the revenue authorities. The respondent-Greater Hyderabad Municipal Corporation shall ensure that the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the Rules and the building bye-laws made thereunder are adhered to while considering the petitioner's application for grant of building permission.

5. The Writ Petition is disposed of accordingly at the stage of admission. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE RAJA ELANGO

15th June, 2017

skmr