

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9525 OF 2017

ORDER :

This Writ Petition is filed questioning the inaction on the part of the 2nd respondent Municipality in considering and disposing of the Application dated 31.12.2015 submitted by the petitioner under 'Land Regularization Scheme'.

The case of the petitioner is that he purchased a plot bearing No. 1, admeasuring 220 square yards in Survey No. 810/AA of Kamareddy. Thereafter, he applied for regularisation of the said land on 31.12.2015, but so far, the 2nd respondent has not considered the same.

Heard learned counsel for the petitioner as well as learned Standing Counsel for the 2nd respondent Municipality Sri J. Kanakaiah.

As can be seen from the material on record, it is clear that the petitioner approached the 2nd respondent authorities to avail the 'Layout Regularization Scheme', notified by the Government under G.O.Ms.No.151 dated 02.11.2015, by paying necessary fee. However, the same has not been considered.

It may be noted that this Court in large number of cases, by following the Judgment of the Division Bench in **District Collector, Hyderabad and Another v. N. Krishna Mohan and others**¹, had categorically held that for the purpose of sanctioning of the building permissions, the respondent Corporation cannot insist for production of NOC/TSLR certificates. This issue is no longer *res integra* and what is applicable with respect to the

¹ 2000 (4) ALD 126 (DB)

sanction of building plans would equally apply with respect to the Land Regularization Scheme also.

In the circumstances, the 2nd respondent is directed to consider the Application of the petitioner dated 31.12.2015. It is also open for the petitioner to make a fresh Application and if the respondent authorities require any further documents, the petitioner may be put on notice, which shall be made good by him.

The Writ Petition is accordingly, disposed of. No costs.

Consequently, the Miscellaneous Applications, if any are also disposed of.

03rd March 2017

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CHALLA KODANDA RAM, J