

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22085 OF 2017

ORDER:

1. This writ petition is filed by the petitioners seeking a direction to the 1st respondent to grant permission in their favour for change of usage of land in Sy.Nos.962/A, 962/B2 and 962/B4 situated at Hunter Road, Hanamkonda, Warangal District, from park to residential purpose.

2. Heard and perused the material available on record.

3. The case of the petitioners is as follows:

The petitioners are the owners of the subject property. In order to construct a house therein, the petitioners applied for permission to the Municipal Corporation. The authorities concerned revealed that the said property was earmarked as park area. The then authorities advised them to apply for change of usage of land. The petitioners made an application on 12.10.2012 to the 3rd respondent requesting to change the usage of land from park to residential purpose. The 3rd respondent forwarded the said application to the 2nd respondent. The 2nd respondent after receipt of development charges, processed the application to the 1st respondent for approval on 7.12.2015. But the 1st respondent had not passed any orders. Hence, the petitioners made an application to the 1st respondent to furnish information about the proposal of change of usage of land of the petitioners from park to residential purpose. It was informed to the petitioners that the Government issued orders keeping in abeyance all the cases of change of land use, from 1.12.2016 until further orders and after lifting of the abeyance orders, the proposal of the petitioners will be examined and processed. The petitioners made an application on 4.4.2017 requesting the 1st respondent to take appropriate decision. But the 1st

respondent has not passed any orders on their application. The petitioners submitted a representation on 29.4.2017 to the Minister for Municipal Administration and Urban Development, Telangana, stating all the details of his grievance and requesting to take a decision on the petitioners' representation. But no decision has been taken so far. The petitioners filed W.P.No.33343 of 2016 and sought a direction to the respondents to consider their representation. But no orders have been passed so far. Subsequently, many G.Os were issued and permissions were granted by the 1st respondent in case of this nature. Hence, the petitioners filed this writ petition.

4. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The 1st respondent is directed to consider the representation of the petitioners for grant of permission to change the usage of land from park to residential purpose, on par with others and pass appropriate orders as expeditiously as possible.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 24th July, 2017
Nn.

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Nn.