

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 11519 OF 2017

ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Revenue on behalf of Respondents 2 and 4 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the respondent Corporation.

Petitioner's grievance in this Writ Petition is that the respondents are not granting construction permission to the petitioner in spite of the fact that he had applied for the same.

Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Corporation states that the Joint Collector, Ranga Reddy District had issued the letter dated 31.10.2013 addressing the Zonal Commissioner, West Zone, Greater Hyderabad Municipal Corporation stating that the subject land is being litigated by the State in LGC No.29 of 2006 and not to grant building permission.

It is not disputed that in the LGC, initially an order was passed in I.A.No. 446 of 2006 on 31.08.2006 prohibiting alienation and permitting constructions by only persons having approved plans but the said order was set aside by this Court in Writ Petition No. 3973 of 2007 and batch on 02.03.2007. In Writ Petition No.12861 of 2007, which is arising out of a claim by a person whose permission for construction in the subject land was rejected, this Court had passed orders on 16.11.2007 directing the respondents to consider grant of building permission, on the petitioner satisfying the requirements of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and giving an undertaking that in the event the LGC pending before the Special Court constituted under the Andhra Pradesh Land Grabbing

(Prohibition) Act, 1982 is decided against him, the petitioner would not claim any equities or costs of the building constructed by him.

Following the above orders, this Writ Petition is disposed of directing Respondents 1 and 3 to consider the Application of the petitioner for grant of building permission in the subject land within a period of eight (08) weeks from the date of receipt of a copy of this order, subject to his satisfying the requirement of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955 and also giving an undertaking that he would not claim equities or costs of the building construction, in the event the LGC is decided against him, without reference to the letter dated 31.10.2013 of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand disposed of.

31st March 2017

ksld

CHALLA KODANDA RAM, J