

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8119 of 2017

ORDER:

The grievance of the petitioner – Company is that their application dated 18.11.2015 for issuance of occupancy certificate is not being considered by the respondents.

As per the averments in the writ petition, the petitioner – Company was given permission for construction of stilt + 5 floors over an extent of 2599.94 sq yards. However, the petitioner had constructed one floor extra. It is stated that the application dated 18.11.2015 filed by the petitioner under Building Regularisation Scheme, notified under G.O.Ms.No. 152 dated 02.11.2015, is pending before the respondents, and orders are yet to be passed.

Learned counsel for the petitioner submits that overall floor space constructed by the petitioner – Company is within the permissible FSI (Floor Space Index) taking into consideration the site area, and the respondent – authorities are not considering their application for issue of occupancy certificate on account of the fact that they had made construction in violation of the sanctioned plan and, therefore, seeks a direction to the respondent – authorities to consider their application dated 18.11.2015 for issuance of occupancy certificate atleast to the extent of permissible area.

Heard Sri P.Kesava Rao, learned Standing Counsel appearing for respondents.

As the respondent – authorities are yet to take decision, it is not necessary to express any opinion with respect to the arguments advanced by the learned counsel for the petitioner. In

the facts of the present case, the respondent – authorities shall consider the application of the petitioner – Company dated 18.11.2015 for issuance of occupancy certificate, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 08.03.2017
Usd

