

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.14374 OF 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners complaining that the action of the second respondent-Corporation in not receiving the building application of the petitioners in respect of the premises bearing No.23-6-6/2/2 & 23-6-6/2/2/A (Old No.23-6-6) admeasuring 290 Sq.Yards equivalent to 242 Sq.Meters consisting of ground and first floor situated at (Devdi Maharaja Kishan Pershad), Haribowli, Hyderabad, is illegal, arbitrary and contrary to the provisions of the Hyderabad Municipal Corporation Act, 1955 & Building Bye-Laws, 1981.

2. At the hearing, learned counsel for the petitioners would submit that the grievance of the writ petitioners would be redressed if a direction is given to the petitioners to submit a fresh application as per the present procedure and a further direction is given to respondents 2 and 3 to consider such application and pass appropriate orders in strict accordance with the procedure established by law.

3. Learned Standing Counsel for GHMC representing the respondents 2 and 3 would submit that as per the instructions received by him no such application for permission is submitted by the petitioners and that, therefore, the writ petition may be disposed of giving liberty to the petitioners to submit a fresh online application as per the present requirements and procedure.

4. Recording the submissions, the Writ Petition is disposed of giving liberty to the petitioners to submit a fresh application for building permission as per the present procedure in vogue and directing respondents 2 and 3 to consider and dispose of the same as and when submitted by the petitioners, however, in strict accordance with the procedure established by law and as expeditiously as possible.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

April 24, 2016
LMV

JUSTICE M. SEETHARAMA MURTI

