

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7615 OF 2017

ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration for the 1st respondent and Sri Sampath Prabhakar Reddy, learned Standing Counsel for Respondents 2 and 3.

Petitioners' grievance in this Writ Petition is that Respondents 2 and 3 are not granting construction permission to them in spite of the fact that they had applied for such permission.

Sri Sampath Prabhakar Reddy, learned Standing Counsel states that the Joint Collector, Ranga Reddy District had addressed the letter dated 31.10.2013 to 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 hence, not to grant any building permissions in respect thereof.

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 arising out of the claim by a person whose permission for construction in the subject land was rejected, this Court had passed the order on 16.11.2007 directing the respondents to consider grant of building permission, on the petitioner satisfying the requirements specified in 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 A.P. 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-said orders, this Writ Petition is also disposed of directing Respondents 2 and 3 to consider the Application of the petitioners for grant of building permission in the subject land within a period of eight weeks from the date of receipt of a copy of this order, subject to the petitioners satisfying the requirements under Section 428 of the 1955 Act and also subject to their giving an undertaking that they would not claim any equities or costs of the building construction, in the event the LGC is decided against them, without reference to the letter dated 31.10.2013 of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

06th March 2017

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