

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 2166 OF 2017

ORDER :

Learned counsel for the petitioner Sri C. Praveen as well as Sri Sampath Prabhakar Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation, across the Bar, submit that in somewhat similar circumstances, this Court entertaining Writ Petition No. 36821 of 2016, on 28.10.2016 passed the order, the operative portion of which reads as under:

“ It is not disputed that in the LGC initially an order was granted 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 W.P.No.3973 of 2007 and batch on 02.03.2007. In W.P.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 of LGC pending before the Special Court instituted under the A.P. Land Grabbing (Prohibition) Act, 1982 been decided against him, 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 the respondents 2 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 the petitioner satisfying requirement of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and also subject to the petitioner giving an undertaking that the petitioner would not claim equities or costs of the building construction, in the event LGC been decided against the petitioner, without reference to the letter dt.31.10.2013 of the Zonal Commissioner, GHMC, Hyderabad. There shall be no order as to costs.”

This Writ Petition therefore, is disposed of in terms of the above-said order. Registry is directed to append a copy of the order

dated 28.10.2016 in Writ Petition No.36821 of 2016 to the order now passed.

With this, the Writ Petition stands disposed of. No costs.

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

CHALLA KODANDA RAM, J

23rd January 2017

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