

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.37258 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“... to issue an order or direction, more particularly in the nature of writ mandamus declaring the action of the respondents in refusing construction permission and approval for the construction of Building with stilt + 2 Upper Floors in respect of plot No. 861-A to the total extent of 137.33 Square yards in Survey No.44/1 of Matrusri co-operative house Building society Limited, Miyapur Village, Serilingampally Mandal, Ranga Reddy District vide shortfall Lr.NO.3/C12/11269/2017, dated 05-10-2017 as illegal, arbitrary, and contrary to the provisions of Greater Hyderabad Municipal corporation act and issue a consequential direction directing the respondents to grant Building permission duly considering the application of the petitioner in reference File No.3/C12/11269/2017 dated 23-8-2017 and pass such other order or orders as this Hon'ble court may deem fit and proper and circumstances of the case.”

2. Heard learned counsel for the petitioner.
3. *Sri Sampath Prabhakar Reddy*, learned Standing Counsel, takes notice for respondent Nos.2 and 5.
4. At the hearing, it is submitted that the issue involved in this Writ Petition is squarely covered by an order, dated 15.03.2017, of this Court in W.P.No.9035 of 2017.
5. Having regard to the submissions and for the reasons alike as were mentioned in the aforestated order, this Writ Petition is also disposed of directing respondent Nos.2 and 5 to consider the

application of the petitioner for grant of building permission in the subject land within a period of eight (8) weeks from the date of receipt of a copy of this order, subject to the petitioner satisfying the requirement of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and after giving an undertaking that he would not claim equities or costs of the building construction, in the event L.G.C. has to be decided against him, without reference to the letter, dated 31.10.2013, of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

Office is directed to enclose a copy of the order, dated 15.03.2017, passed in W.P.No.9035 of 2017 to this order.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

There shall be no order as to costs.

November 07, 2017
MD

M.SEETHARAMA MURTI, J