

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.36088 of 2017

ORDER:

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

“ For all the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may pleased to issue appropriate writ or direction more particularly one in the nature of writ of mandamus declaring the L.r.No.2/C12/13192/2017, dt.7-10-2017 of the 2nd respondent refusing to consider the application for construction of the building on Plot No.706 in Survey No.44/1 at Miyapur Village, Serilingampally mandal, Ranga Reddy District for the reason that LGC No.29 of 2006 is pending before the Special Court as illegal, arbitrary and unjust and consequently direct the 2nd and 3rd respondents to consider the application of the petitioner for construction of residential building made under File No.2/C12/13192/2017 without reference to the pendency of LGC 29/2006 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard the submissions of *Sri K. Srinivas*, learned counsel appearing for the petitioner; the learned Government Pleader for Municipal Administration & Urban Development, appearing for the 1st respondent; and of *Sri Sampath Prabhakar Reddy*, learned Standing Counsel, appearing for the respondents 2 and 3. I have perused the material record.

3. Learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents 2 and 3 would submit that the issue involved in the present writ petition is squarely covered by the order, dated 31.03.2017, of this Court in Writ Petition No.11519 of 2017.

4. Having regard to the submissions, and for the reasons alike as were mentioned in the aforesaid order, dated 31.03.2017, 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 property within a period of eight weeks from the date of receipt of a copy of this order subject to the petitioner satisfying the requirement of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955, and also giving an undertaking that he would not claim equities or costs of the building construction, in the event the LGC is decided against him, without reference to the letter, dated 31.10.2013, of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

01st November, 2017
RAR

M. SEETHARAMA MURTI, J

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.36088 of 2017



01-11-2017

