

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39795 OF 2017

DATED : 24.11.2017

Between :

Junaid Iftekhar S/o.Iftekharuddin Ahmed,
Aged about 23 yrs, Occu : Employee Abroad,
Presently residing at Doha, Qatar,
Rep., by his GPA Holder
Iftekhar Ahmed, S/o.Late Hameeduddin Ahmed,
Aged about 55 yrs, Occu : Business,
R/o.H.No.10-3-292/4, Vijay Nagar Colony,
Hyderabad

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration & Urban Development Department,
Secretariat, Hyderabad & others.

.. Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39795 OF 2017

ORDER:

With the consent of learned counsel for the petitioner and learned Standing counsel the writ petition is disposed of at the admission stage.

2. The facts on record would disclose that petitioner claims to be the owner and possessor of house property bearing H.No.8-1-68/A/102 & 103 admeasuring 234 Square yards situated at Vinayaka Nagar, Shaikpet, Hyderabad. Petitioner claims to have acquired the property by way of registered gift settlement deed dated 12.05.2014. According to the petitioner, he applied for building permission through online, on 06.05.2017. But so far building permission is not granted. Hence, this writ petition.

3. According to learned counsel for the petitioner the shortfalls pointed out in letter dated 06.05.2017 would disclose that No Objection Certificate from the District Collector is insisted, whereas, the instructions of Municipal Corporation clearly mandate not to insist No Objection Certificate from the revenue authorities.

4. On the issue of requirement of No Objection Certificate from revenue authorities, learned Standing counsel also states that clear instructions were issued by the Commissioner, not to insist for No Objection Certificate.

5. However, it is seen from shortfall letter that some other objections were noticed by the competent authority in processing the application.

6. Having regard to the same, the Writ Petition is disposed of as under :

The respondents shall process building permission application without insisting for production of No Objection Certificate from the District Collector.

(ii) Petitioner shall comply with all other objections as mentioned in the shortfall letter.

(iii) Subject to compliance of all other requirements, except furnishing of No Objection Certificate from the revenue authorities, the building permission application may be processed and proper decision be taken and communicated to the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

24th November 2017
Rds

P.NAVEEN RAO,J

