

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.43002 of 2017

ORDER:

The grievance of the writ petitioner in this writ petition filed under Article 226 of the Constitution of India is in regard to the demand of the respondents for production of 'No Objection Certificate' (NOC) for grant of building permission to the petitioner in respect of Plot nos.12, 13, and 171 in Sy.nos.87/ 1, 87/ 5 and 87/ 6 of Nagole, Uppal, Ranga Reddy District.

2. I have heard the submissions of *Sri S.Bhoomaiah*, learned counsel for the petitioner and, of *Sri P.Krishna Reddy*, learned Standing Counsel representing the respondents/ GHMC. I have perused the material record.

3. Learned counsel for the petitioner submits that as per the settled legal position and the ratio laid down in *Hyderabad Potteries Private Limited v. Collector, Hyderabad District*¹, no such demand for NOC shall be made while considering an application for grant of building permission.

4. Learned Standing Counsel appearing for the respondents does not dispute the legal position obtaining.

5. Having regard to the facts & submissions, this Writ Petition is disposed of directing the respondents not to insist upon production of NOC from the Mandal Revenue Officer concerned and consider & dispose of the application, dated 28.12.2016, of the petitioner for building permission in strict accordance with the procedure established by law, if it is otherwise in order.

There shall be no order as to costs.

¹ 2001(3) ALD 600

Miscellaneous petitions pending, if any, shall stand closed.

20.12.2017
RAR

M. SEETHARAMA MURTI, J

