

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.457 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleaders for Municipal Administration and Revenue for the respective respondent Nos.1 and 4 and 5 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent Nos.2 and 3 and perused the prayer in the writ petition with supporting affidavit and the other material on record.

2. The prayer in the writ petition reads as follows:

“.....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly the 3rd respondent in not receiving the application along with requisite fees, relevant documents from the petitioner made for issuance of construction permission of boundary wall/building and insisting them for getting No Objection Certificate/T.S.L.R., from the revenue authorities and court clearance order in LGC case for the Sy.No.44/2 in respect of plots No.117 and 116 respectively admeasuring 266 sq.yards or 222.37 sq.meters, consist of each Plot in Sy.No.44/2, situated at Miyapur Village, Serilingampally Mandal and Municipality, Ranga Reddy District as illegal, arbitrary, unjust and in violation of principles of natural justice and against the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, and Rules and Regulations made thereunder, and consequently direct the respondents to accord permission to the petitioner, strictly in accordance with law, without insisting the petitioner for production of NOC/T.S.L.R., from the revenue authorities, and court clearance order in LGC case and to pass such other order”

3. It is fairly conceded by the learned Standing Counsel for respondent Nos.2 and 3 that the issue is squarely covered by the order of this Court in W.P.No.26095 of 2017 dated 15.02.2018 and hence this writ petition may also be disposed of in terms thereof.

4. Recording the afore-stated submissions and for the reasons alike as were mentioned in the order, dated 15.02.2018, of this

Court in W.P.No.26095 of 2017, this Writ Petition is disposed of, directing the respondents to consider the case of the petitioners at par with the other matters, subject to an undertaking not to claim equities in the event of consideration of success in L.G.C. the permission has to be accorded by regularisation of the L.R.S pending.

5. Office is directed to enclose a copy of the order, dated 15.02.2018, passed in W.P.No.26095 of 2017 to this order.

6. Miscellaneous petitions pending, if any, shall stand closed.

No costs.

Date: 12.03.2018
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Dr. B. SIVA SANKARA RAO, J

