

WRIT PETITION No.1911 of 2018

ORDER:

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

“... to issue appropriate writ or direction more particularly one in the nature of writ of mandamus declaring the letter No.2/ C12/ 17730/ 2017 dated 7-1-2018, refusing to consider the application for permission for construction of Building in Plot No.37 situated at Mathrusri Colony Survey No.44/ 1 at Miyapur Village, Serlingampally Mandal, Ranga Reddy District in so far as insisting for clearance certificate from the concerned authorities on the ground of pendency of Land Grabbing Court Case as illegal, arbitrary and unjust and consequently direct the 2 and 3 respondents to consider the application of the Petitioners for construction of residential building made under File No.2/ C12/ 17730/ 2017, without insisting for Clearance Certificate from the authorities due to the pendency of Land Grabbing Court Case and pass such other or orders....”

2. Heard learned counsel for the petitioners, learned Government Pleaders for Municipal Administration and Revenue and Sri Sampath Prabhakar Reddy, learned Standing Counsel, who offers to file vakalat for the Greater Hyderabad Municipal Corporation, Hyderabad.

3. At the hearing, it is submitted that the issue involved in this Writ Petition is squarely covered by the order, dated 15.03.2017, of this Court, in W.P.No.9035 of 2017.

4. Having regard to the facts and submissions and for the reasons alike as were mentioned in the afore-stated order, this Writ Petition is also disposed of directing respondent Nos.2 and 3 to consider the application of the petitioners 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 petitioners satisfying with the requirements of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and any other short falls and after giving an undertaking that they would not claim equities or costs of the building construction, in the event L.G.C. has to be decided against them, without regard to the letter, dated 31.10.2013, of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

5. 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.

Date: 24.01.2018
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JUSTICE Dr. B.SIVA SANKARA RAO

