

The Hon'ble Dr. Justice B.Siva Sankara Rao

Writ Petition No.3756 of 2018

Dated 07.02.2018

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 in the nature of writ of mandamus declaring the action of the respondents in not granting permission and approval for the construction of Building with stilt + 4 Upper Floors in respect of plot No.594 to the total extent of 500 Square yards in Survey No.44/1 of Matrusri co-operative house Building society Limited, Miyapur Village, Serilingampally Mandal, Ranga Reddy District vide shortfall letter. No.Lr.NO. 2/C12/18111/2017, dated 14-1-2018 as illegal, arbitrary, and contrary to the provisions of Greater Hyderabad Municipal corporation act and issue a consequential direction directing the respondents to grant Building permission duly considering the application of the petitioner in reference File No.2/C12/18111/2017 dated 15-12-2017....”

Heard learned Counsel for the petitioner, 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.

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

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 petitioner's application 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 his complying with the requirements of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955, and any other short falls and after giving an undertaking that he would not claim any equities or costs of the building construction, in the event L.G.C. is decided against him, without regard to letter, dated 31.10.2013, of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

Office is directed to enclose a copy of 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.

(Dr.B.Siva Sankara Rao, J)

Dt: 7th February, 2018
lur