

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.9744 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri Pasham Krishna Reddy, learned Standing Counsel for 2nd respondent.

2. Applications seeking permissions for construction sought by the petitioner were rejected through the impugned order dt.09-03-2018 on the ground that the petitioner did not produce NOC from the Mandal Revenue Officer.

3. It is settled law that the Municipal Corporation cannot insist NOC from the Revenue Department as held by this Court in **Hyderabad Potteries Private Limited v. Collector, Hyderabad District & another¹**.

4. It is unfortunate that in spite of the said decision having been rendered more than 15 years back, time and again, applications for permission are being rejected on this ground.

5. Therefore, the Writ Petition is allowed with costs of Rs.2,000/- (Rupees Two Thousand only) to be paid by the 2nd respondent to the petitioner and the 2nd respondent is directed to process petitioner's applications for building permission without insisting on an NOC from 4th respondent.

¹ 2001(3) ALT 200

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-03-2018
kvr

