

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.13156 of 2018

ORDER:

Learned counsel for both sides agreed that this Writ Petition is covered by the order dated 11.4.2014 in Writ Petition No. 10465 of 2014.

2. Admittedly, petitioner's application for grant of building permission was rejected by the second respondent-Corporation on the ground that it did not supply a revised plan showing 100 ft road as indicated in the notified Draft Master Plan and also it did not give any undertaking to surrender road affected portion. It is not disputed that no final notification is issued and that the Master Plan is still in the draft stage only. Therefore, the Draft Master Plan cannot be said to have come into force.

3. So following the order dated 11.4.2014 in W.P.No.10465 of 2014, the Writ Petition is allowed and the respondents are directed to consider the application of the petitioner for making construction in the subject property in accordance with the existing Master Plan and the "Shortfall Intimation Letter" file No.3006/11529/W44/2018 dt.21-03-2018 issued by the respondents is set aside. Within four weeks from the date on which the petitioner resubmits his application for permission, respondents 2 and 3 shall consider the same in accordance with law, including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the Rules and Byelaws

made thereunder; take a decision thereupon; and communicate the same to the petitioner. There shall be no order as to costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 24-04-2018

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