

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.32264 of 2018

ORDER:

Heard learned counsel for the petitioner, Smt.Pingali Laxmi, learned Standing Counsel for respondent-GWMC, and Sri M.Ajay Kumar, learned Standing Counsel for KUDA.

Learned counsel for both sides agreed that this Writ Petition is covered by the order, dated 11.04.2014, in Writ Petition No.10465 of 2014. In view of the same, there shall be the following similar order in this case also.

Admittedly, petitioner's application, for grant of building permission, was rejected by the second respondent-GWMC on the ground that she did not supply a revised plan showing 150 ft. road, as indicated in the notified Draft Master Plan, and also she 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.

So following the order, dated 11.04.2014, in W.P.No.10465 of 2014, 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" in file No.3006/14070/W38/2018, dated 31.08.2018, issued by the respondents, is set aside. Within

four weeks from the date on which the petitioner resubmits her application for permission, respondent Nos.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.

As a sequel, miscellaneous petitions pending, if any, in this Writ Petition, shall stand closed.

10th September, 2018
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A.V.SESHA SAI, J

