

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35740 OF 2018

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and learned Standing Counsel appearing for respondent Nos.2 and 3. With their consent the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking to declare the action of respondent No.2 in issuing rejection letter vide application No.1/C12/11813/2018-OC, dated 20.09.2018, as illegal, arbitrary, discriminatory, in violation of Article 14 of Constitution of India and direct the respondent to issue Occupancy Certificate in respect of premises in the Survey Nos.41/12 and 41/13, situated at Khana Metta Village, Rajendranagar Taluq and Hyderabad District.

3. Though various grounds are raised, learned counsel for the petitioner would submit that the impugned order which has been passed by the authority was after revoking the permission. Learned Standing Counsel fairly submits that the order under challenge requires reconsideration and the same is not in accordance with the orders passed by this Court earlier in W.P.No.17878 of 2017.

4. It is to be noted here that earlier the petitioner filed W.P.No.17878 of 2017, wherein this Court directed respondent No.2 therein to consider the explanation dated 24.04.2017 and pass orders in accordance with law.

5. Since the order came to be passed without considering the explanation dated 24.04.2017 and having regard to the facts in issue, the order under challenge is liable to be set aside.

6. Accordingly, the writ petition is allowed and the matter is remanded back to the City Planner, West Zone, HO, Hyderabad, to consider the same in terms of the orders passed by this Court earlier.

7. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:31.10.2018.
vhb



C. PRAVEEN KUMAR, J

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR



WRIT PETITION No.37336 OF 2018

Date:23.10.2018

Gk

