

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.36824 OF 2018

DATED :29.10.2018

Between :

Hitech Hydraulic Engineers,
Having its Partnership firm at Plot No.1,2,3 & 4,
Phase-V, IDA, Cherlapally, Hyderabad 500 051,
Rep., by its Partner Sri Jakka Rosi Reddy,
S/o.Sri J.Malla Reddy, Aged about 45 yrs,
Occu : Business, R/o.D.No.1-7-229,
Kamalanagar, ECIL., Post, Hyderabad 500062 & others
.. Petitioners
And

Telangana State Industrial Infrastructure Corporation Limited,
Having its registered office at 5-9-58/B,
6th Floor, Parisrama Bhavan, Basheerbagh, Hyderabad,
rep., by its Vice Chairman & Managing Director & others.
.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Standing counsel for the respondents.

2. This writ petition is filed seeking the following relief :

“..... declaring the action of the respondents in fixing fee @ 5% of cost on land in getting the sub-division of plots/mutation in the names of the petitioners through impugned Circular No.198445/TSIC/LAC/2014/241 dated 11.09.2017 of the 1st respondent and not considering the application dated 19.03.2018 submitted by the petitioners, seeking sub-division/mutation of the Industrial Open land admeasuring 14354.06 Square yards equivalent to 12000.0 Square meters in Sy.No.193/A, situated at Phase-IV, Industrial Park, IDA Cherlapally, in their names, which is against the G.O.Ms.No.155, Municipal Administration & Urban Development (M1) Department dated 30.05.2016, prescribing mutation fee at the time of transfer of property in the area of Greater Hyderabad Municipal Corporation @ 0.5% on the registered document value, as arbitrary, illegal, against the G.O.Ms.No.155 Municipal Administration & Urban Development (M1) Department dated 30.05.2016, against the principles of natural justice, and violates the articles-14 and 19 (1)(g) of Constitution of India and consequently set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case”.

3. Though the Circular dated 11.09.2017 is challenged, having regard to the contents of Circular, during the course of hearing, learned counsel for the petitioners fairly submits that petitioners would be satisfied if direction is issued for considering the applications filed by them on 19.03.2018 to issue sub-divisional approvals in the individual names of the petitioners to the respective extents of properties subject to compliance of Circular dated 11.9.2017 within a fixed time frame.

4. Having regard to the said submission, without entering into merits, the Writ Petition is disposed of, directing the Telangana State Industrial Infrastructure Corporation Limited to consider the request made by the petitioners on 19.03.2018, subject to compliance of the circular dated 11.09.2017, as expeditiously as possible preferably within a period of two (2) months from the date of receipt of copy of this order. Pending miscellaneous petitions shall stand closed.

29th October, 2018
Rds

P.NAVEEN RAO,J

