

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.37262 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development representing respondent No.1 and learned Standing Counsel, Sri N. Praveen Kumar, who offered to appear for respondent No.2 from the instructions and perused the prayer in the Writ Petition with supporting affidavit and other material on record.

The prayer in the Writ Petition reads as follows:

“.....to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not considering for grant of building permission for construction of residential building in open plot No.132 to an extent of 266.6 sq.yards in Sy.No.600 of Nirmal Shivar, Nirmal Mandal, Adilabad District, Plot Nos.322, 323, 324 & 325 to an extent of 2133.33 square yards in Sy.No.563/2, 574 & 562/2 at Nirmal Shivar, Nirmal Mandal, Adilabad District, Open Plot No.256 to an extent of 240 sq.yards in Sy.No.643, at Nirmal Shivar, Nirmal Mandal, Nirmal District, as the same does not come under cut-off date of Layout Regularization Scheme, 2015 as per G.O.Ms.No.151, dated 02.11.2015, as illegal, arbitrary and contrary to Municipalities Act and consequently direct the 2nd respondent to grant building permission for construction of residential building in open plot No.132 to an extent of 266.6 sq.yards in Sy.No.600 of Nirmal Shivar, Nirmal Mandal, Adilabad District, Plot Nos.322, 323, 324 & 325 to an extent of 2133.33 square yards in Sy.No.563/2, 574 & 562/2 at Nirmal

Shivar, Nirmal Mandal, Adilabad District, Open Plot No.256 to an extent of 240 sq.yards in Sy.No.643, at Nirmal Shivar, Nirmal Mandal, Nirmal District, and to pass such other orders as this Hon'ble Court may deem fit and proper in the interest of justice."

Undisputedly, the Government of Telangana, represented by the Secretary to the Government, Municipal Administration and Urban Development, by Memo No.2252/M1/2017, dated 28.04.2017, extended the LRS Scheme, 2015.

Having regard to the above, the Writ Petition is disposed of, directing respondent No.2 to consider the application of the benefit of the scheme to the petitioner, subject to fulfilment of the requirement criteria on own merits, within four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

11th October, 2018
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A.V.SESHA SAI, J