HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 39457 of 2018

ORDER:

1) Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration (Telangana) appearing for respondent No.1 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC, appearing for respondent Nos.2 and 5 and learned Government Pleader for revenue for respondent Nos.3 and 4.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondents in refusing construction permission and approval for the construction of building with stilt +4 upper floors in respect of plot No.687, admeasuring 389 square yards in Survey No.44/1 of Matrusri Co-operative House Building Society Limited, Miyapur village, Serilingampally mandal, Ranga Reddy District, vide shortfall letter No.2/C21/18632/2018, dated 03.10.2018, as illegal and arbitrary.

3) The grievance of the petitioner in this writ petition is that the respondents are not granting construction permission, inspite of the fact that the petitioner applied for the same complying with all the requirements.

4) It is to be noted that under similar circumstances this Court, disposed of W.P.No.14623 of 2018, with the following direction:

> "Therefore for the reasons alike, this writ petition is disposed of directing respondent No.2 to consider the application of the petitioner for grant of building permission in the subject land within a period of four weeks from the date of receipt of a copy of this order, subject to the petitioner satisfying requirement of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955 and also subject to the petitioner giving an undertaking that the petitioner would not claim equities or costs of the building construction, in the event LGC No.29 of 2006 being decided against the petitioner, without reference to the letter dated 07.03.2018 of the Commissioner, GHMC, Hyderabad. There shall be no order as to costs".

5) In view of the order passed in W.P.No.14623 of 2018, this writ petition is disposed of directing respondent No.2 to consider the application of the petitioner for grant of building permission in the subject land within a period of four weeks from the date of receipt of a copy of this order, subject to the petitioner satisfying requirement of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955 and also subject to the petitioner giving an undertaking that the petitioner would not claim equities or costs of the building construction, in the event LGC No.29 of 2006 being decided against the petitioner, without reference to the letter dated 07.03.2018 of the Commissioner, GHMC, Hyderabad.

6) Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

02.11.2018
vhb