

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40551 of 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the respondents in not granting permission for construction of a residential building in Plot No.7 in an extent of 150 sq.yards in Survey No. 1210/ E of Metpally, Jagtial district, on the ground that the same does not come under cut-off date of Layout Regularisation Scheme 2015, as per G.O.Ms.No. 151, dated 02.11.2018, as illegal, arbitrary and consequently direct the 2nd respondent to grant building permission for construction of residential building in the subject land.

2. Learned counsel for the petitioner submits that the case on hand is squarely covered by the judgment dated 04.10.2017 passed by this Court in W.P.No. 23191 of 2017, wherein this Court, after considering the Memo No. 2252/ M1/ 2017, dated 28.04.2017 in respect of Survey No. 1210/ E of Metpally, directed the respondent-Municipality to accept and process the application of the petitioner for building permission in terms of Memo No. 2252/ M1/ 2017 dated 28.04.2017 issued by the 1st respondent. It was also a case, where the respondents were not accepting the application of the petitioner to grant permission, on the ground that the subject property falls within the unapproved layout and is not within the purview of the 1st respondent.

3. Learned Government Pleader for Municipal Administration would submit that the respondent authority may be directed to process the application of the petitioner in accordance with the Memo No. 2252/ M1/ 2017 dated 28.04.2017 issued by the 1st respondent.

4. Having regard to the above, the writ petition is disposed of, directing the respondent-Municipality to accept and process the application of the petitioner for building permission, in terms of the Memo No. 2252/ M1/ 2017, dated 28.04.2017 issued by the 1st respondent and pass appropriate orders, at the earliest. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

12.11.2018
DMG

JUSTICE C. PRAVEEN KUMAR

