

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos.44499 & 44922 of 2018

COMMON ORDER:

- 1) Since the issue involved in both the writ petitions is one and the same, the writ petitions are disposed of by this common order.
- 2) 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 3.
- 3) The writ petitions 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 the subject buildings in Survey No.44/1 of Matrusri Co-operative House Building Society Limited, Miyapur village, Serilingampally mandal, Ranga Reddy District, vide shortfall letter Nos.2/C21/22498/2018 and 3/C21/22256/2018, dated 29.11.2018, as illegal and arbitrary.
- 4) The grievance of the petitioners in these writ petitions is that the respondents are not granting construction permission, inspite of the fact that they applied for the same complying with all the requirements.
- 5) It is to be noted that under similar circumstances this Court, disposed of W.P.No.22280 of 2018, with the following direction:

“Following the above orders, this writ petition is disposed of directing respondent Nos.2 and 3 to consider the application of the petitioner for grant of building permission in the subject land within a period of eight (08) weeks from the date of receipt of a copy of this order, subject to the petitioner satisfying the requirements of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955 and also giving an undertaking that he would not claim equities or costs of the building construction, in the event LGC No.29 of 2006 has been decided against the him, without reference to the letter dated 31.10.2013 of the Zonal Commissioner, GHMC, Hyderabad. There shall be no order as to costs”.

6) In view of the order passed in W.P.No.22280 of 2018, these writ petitions are disposed of directing respondent Nos.2 and 3 to consider the applications made by the petitioners for grant of building permission in the subject land, within a period of eight weeks from the date of receipt of a copy of this order, subject to the petitioners satisfying the requirements of Section 428 of the Greater Hyderabad Municipal Corporation Act, 1955 and giving an undertaking that the petitioners would not claim equities or costs of the building construction, in the event LGC No.29 of 2006 being decided against the petitioners, without reference to the letter dated 31.10.2013 of the Commissioner, GHMC, Hyderabad.

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

JUSTICE C. PRAVEEN KUMAR

06.12.2018
vhh