

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.45267 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“... to issue Writ order or directions more particularly in the nature of Mandamus declaring the letter No.3/C12/17515/2017 dated 26.12.2017 of the 2nd respondent refusing to consider the application for construction of the building on Plot No.946 in Survey No.44/1, at Miyapur Village, Serlingampally Mandal, Ranga Reddy District for the reason that LGC No.29 of 2006 is pending before the Special Court as illegal, arbitrary and unjust and consequently direct the 2 and 3 respondents to consider the application of the Petitioner for construction of residential building made under File No.3/C12/17515/2017 without reference to the pendency of LGC 29/2006 and pass such other order or orders”

At the hearing, learned counsel for the petitioners and Sri Sampath Prabhakar Reddy, learned standing counsel appearing for respondent Nos.2 & 3, are in agreement that the issue involved in the present writ petition is squarely covered by the orders of this Court in W.P.No.9035 of 2017 dated 15.03.2017, WP.No.37258 of 2017 dated 07.11.2017 and W.P.No.43286 of 2017 dated 20.12.2017. A copy of the order in the latter writ petition is placed on record.

Having regard to the facts and submissions, and for the reasons alike as were mentioned in the afore-stated orders, this Writ Petition is also disposed of directing respondent Nos.2 and 3 to consider the application of the petitioners for grant of building permission in the subject land within a period of eight (8) weeks

from the date of receipt of a copy of this order, subject to the petitioner satisfying the requirement of Section 428 of Greater Hyderabad Municipal Corporation Act, 1955 and after giving an undertaking that they would not claim equities or costs of the building construction, in the event L.G.C. has to be decided against them, without reference to the letter, dated 31.10.2013, of the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad. Office is directed to enclose a copy of the order, dated 15.03.2017, passed in W.P.No.9035 of 2017 to this order.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

M.SEETHARAMA MURTI, J

Date:04.01.2018
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