

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.872 of 2019

ORDER:

The petitioners assail the action of the 2nd respondent-Municipality in not accepting their application for building permission in Plot No.7, admeasuring 222.22 square yards, Plot No.8 admeasuring 168.05 square yards, in Survey No.1519/Aa of Nirmal Town, Adilabad District, Telangana State.

2. Heard Sri Polisetty Radhakrishna, learned counsel for the petitioners, and Sri N. Praveen Kumar, learned Standing Counsel for the 2nd respondent-Municipality.

3. At the hearing, the learned counsel for the petitioners submits that the application submitted by the petitioners can be considered by the competent authority as per the Circular U.O.No.B/1545/TPS/CCP/HO/GHMC/2016/485 dated 19/24.4.2017. He further submits that the subject matter of the present writ petition is squarely covered by the order passed by this Court in W.P.No.23191 of 2017, dated 24.10.2017.

4. This Court, by order dated 24.10.2017, disposed of the W.P.No.23191 of 2017, observing as under:

“5. It is very much evident from the above circular that the applications for building permissions can be considered by the competent authorities by collecting 33% compounding fee on the same plus open space contribution charges at 14% on the market value of the plot applied for building permission. The Government issued the said memo in respect of the plots/sites, for which no application under Land Regularisation Scheme was submitted. It is also very much evident from the reading of the above memo that the building application of the petitioner herein deserves to

be considered in terms of the said circular dated 19/24.4.2017 subject to compliance of statutory requirements.

6. Accordingly, the writ petition is disposed of, directing the Respondent Municipality to accept the application of the petitioner herein for building permission in terms of the Circular U.O.No.B/1545/TPS/CCP/HO/GHMC/2016/485 dated 19/24.4.2017 issued by the Commissioner, Greater Hyderabad Municipal Corporation and pass appropriate orders, as per law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.”

5. In terms of the order dated 24.10.2017 passed in W.P.No.23191 of 2017, and for reasons alike, this writ petition is also disposed of directing the 2nd respondent-Municipality to accept and process the application of the petitioners herein for building permission in terms of the Circular U.O.No.B/1545/TPS/CCP/HO/ GHMC/2016/485 dated 19/24.4.2017 issued by the Commissioner, Greater Hyderabad Municipal Corporation and pass appropriate orders, as per law.

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

JUSTICE CHALLA KODANDA RAM

21st January, 2019

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