

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos.1573 & 1586 of 2019

COMMON ORDER:

The relief sought for in these Writ Petitions is to declare the action of respondent Nos.2 and 3, in not granting permission on the building applications dated 19.12.2018 and 27.09.2018, referring to the draft master plan, as illegal and arbitrary.

2. Smt. Pingali Lakshmi, learned Standing Counsel for Warangal Municipal Corporation, on instructions, would submit that a draft master plan has been prepared widening the existing 80 ft road to 120 ft; draft proposals have been submitted to the Government; objections have already been invited; and a final notification, approving the master plan, is yet to be issued. Learned Standing Counsel would fairly submit that the applications submitted by the petitioners are in accordance with the existing master plan; and the said applications have not been considered only because the master plan is in the process of being revised.

3. As long as a final notification is not issued, and the master plan is still at the draft stage, it cannot be said to have come into force. The petitioners are, therefore, entitled to have their applications considered in accordance with the existing master plan. The impugned letters dated 09.01.2019 are set aside. Within four weeks from the date on which the petitioners resubmit their applications, respondent Nos. 2 and 3 shall consider the same in accordance with law, including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 the Rules and

Byelaws made thereunder; take a decision thereupon; and communicate the same to the petitioners.

4. The Writ Petitions are, accordingly, disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

01st February, 2019

vhb