

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6061 of 2019

ORDER:

The petitioner challenges the Shortfall Notice dated 19.10.2018 issued by the 3rd respondent refusing to grant Building Permission to the petitioner on the ground that the petitioner has not furnished No Objection Certificate (NOC) from the 5th respondent for processing his application for Building Permission in Plot No.101 situated in Survey No.66/2, Raidurg Nawkhalsa village, Serilingampally mandal.

It is the case of the petitioner that his request for building permission has been rejected by the respondents through the impugned shortfall notice though in Plot No.107, which is adjacent to the petitioner's plot in the same layout in Survey No.66/2, Raidurg Nawkhalsa Village, Serilingampally mandal, permission was granted on 17.05.2018 without insisting for NOC from the 5th respondent.

Learned counsel for the petitioner asserts that in similar circumstances, the respondent authorities have granted permission; and that in a large number of cases, this Court had directed the authorities to reconsider the applications and pass appropriate orders and therefore similar direction may be given in this writ petition.

Learned Standing Counsel does not dispute the assertion of the learned counsel for the petitioner and would submit that, in similar circumstances, this Court had directed the authorities to reconsider the applications of the petitioners.

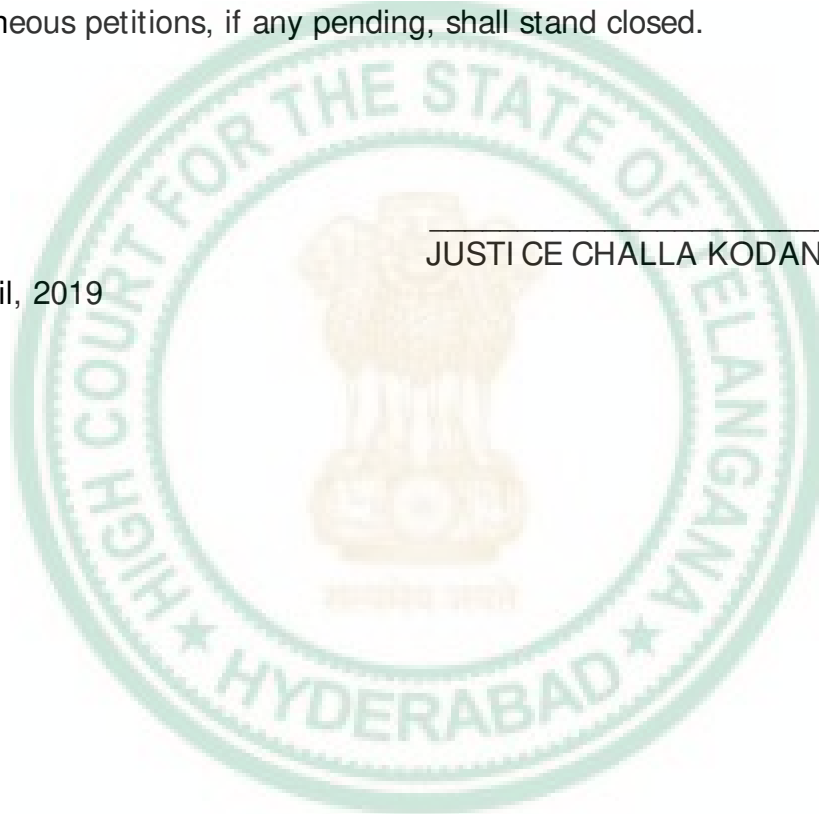
Having regard to the respective submissions, more particularly the submission of the learned counsel for the petitioner that the respondent authorities have granted permission in the case of Plot No.107 falling under the same survey number without insisting for NOC from the 5th respondent, the 3rd respondent is directed to consider the application of the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.
Miscellaneous petitions, if any pending, shall stand closed.

02nd April, 2019

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