

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.6173 OF 2019

Date:16.04.2019

Between:

M/s. Fortuna Infrastructure India
Private Limited, H.No.15-2-679, Kishangunj,
Hyderabad, rep., by its Director Mr. L.K. Mittal .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Municipal Administration
And Urban development Authority,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.6173 OF 2019****ORDER:**

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration appearing for respondent No.1, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC) appearing for respondents 2 to 5, learned Government Pleader for Revenue appearing for respondent No.6 and Sri R. Raghunandhan, learned senior counsel appearing for respondent No.7.

2. Though elaborate submissions are made, all the learned counsel have agreed for disposal of the Writ Petition with a direction to GHMC to pass orders on the applications/objections filed by the petitioner on 03.01.2019, 19.01.2019 and 13.03.2019, against granting of building permission to respondent No.7 on 14.12.2018, within a fixed time frame.

3. In view of the same, the Court has now recorded the contentions urged on the issue involved. Suffice it to note that on an application submitted by respondent No.7, building permission was granted on 14.12.2018 to Door Nos.6-3-1090/1, Plot Nos.1 to 6, 6-3-1090/1/B and 6-3-1090/1/B/1. Perusal of copy of building permission, reflects that against Column 'B' under the side heading – Site Details, which deals with T.S. No./Survey No./Gram Kantam/Abadi, it is mentioned as '22'. This is contested by both the parties.

4. According to learned counsel for the petitioner, the applications filed by the petitioner for cancellation of the building

permission have to be considered by the competent authority, in view of Section 450 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act').

5. Since the said applications are pending before the authority, the Writ Petition is disposed of directing the authority to consider the applications filed by the petitioner for cancellation of the building permission having regard to the parameters laid down in Section 450 of the Act by issuing notice to the petitioner as well as respondent No.7 fixing a date of hearing the respective parties, afford personal hearing, consider respective submissions made orally or in writing, as the case may be, and pass appropriate orders on due consideration of the respective submissions. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of the order. The petitioner as well as respondent No.7 shall cooperate and shall appear on the date fixed by the Commissioner, GHMC., to hold hearing and to consider their respective submissions. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:16.04.2019

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