

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7199 of 2019

ORDER:

The relief sought for in this writ petition is to declare the action of respondents 2 and 3, in not granting permission on the building application dated 22.02.2019, referring to the draft master plan, as illegal and arbitrary and to set aside the letter dated 25.03.2019.

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 100 ft road to 150 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 application submitted by the petitioners is in accordance with the existing master plan; and the said application has not been considered only because the master plan is in the process of being revised.

3. As a final notification is not issued approving the draft master plan, the same cannot said to have come into force. Therefore, the petitioners are permitted to resubmit their application in accordance with the existing master plan.

4. In those circumstances, the Writ Petition is allowed and the impugned letter is set aside. Within four weeks from the date on which the petitioners resubmit their application, respondents 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. Miscellaneous petitions, if any pending in this writ petition, shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

4th April, 2019

sj

