

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7680 of 2019

ORDER:

The relief sought for in this writ petition is to declare the action of respondent Nos. 2 and 3 in not granting permission on the Application filed seeking permission to raise building, referring to the draft master plan, as illegal and arbitrary.

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 feet road to 120 feet; that draft proposals have been submitted to the Government; that objections have already been invited and that a final notification approving the draft master plan is yet to be issued. She would fairly concede that the application submitted by the petitioner 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.

As final notification is not issued approving the draft master plan, the same cannot be said to have come into force. Therefore, the petitioner is permitted to resubmit her application in accordance with the existing master plan. The impugned letter, dated 05.04.2019, is set aside. Within four weeks from the date on which the petitioner resubmits her application, respondent Nos. 2 and 3 shall consider the same in accordance with the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 and the Rules

and Byelaws made thereunder; take a decision thereon and communicate the same to the petitioner.

The writ petition is accordingly disposed of.

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

Dt:12.04.2019

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