

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.10793 OF 2019

Date: 06.06.2019

Between:

Munugoti Prabhakar, s/o. Nagabushanam,
Aged 60 years, occu:Business,
r/o. H.No.25-8-2, Bapujinagar,
Kazipet, Warangal, Telangana State.

.....Petitioner

and

The State of Telangana, rep.by its
Principal Secretary, Municipal Administration
and Urban Development Department,
Secretariat, Hyderabad and two others.

.....Respondents



The Court made the following:

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ORDER:

Building permission application dated 18.03.2019 submitted by the petitioner was returned by proceedings dated 18.04.2019. Two reasons assigned in the remarks column against Sl.Nos.2 and 4, would indicate that petitioner did not attach link documents and declarations, and did not reflect the road effected area. Petitioner challenges the said two objections in this Writ Petition.

2. Learned counsel for petitioner places reliance on the earlier decision of this Court, wherein this Court has taken the view that based on draft master plan for widening the existing road before its approval, the Corporation cannot insist to reflect road effected area.

3. Learned standing counsel also agrees that matter is covered by the earlier decision to that extent.

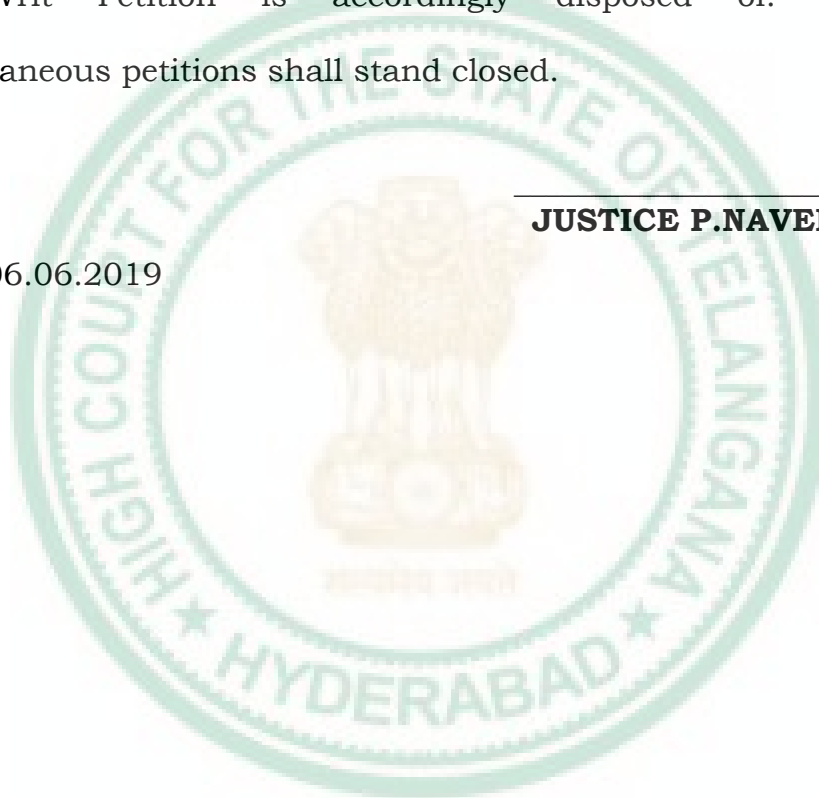
4. Following the earlier order dated 11.04.2014 in W.P.No.10465 of 2014, the insistence to produce proper road effected area as per the notified draft master plan is held as not valid, and the respondents are directed to consider the application of petitioner for permission to construct in the subject property without insisting to show the road effected area as per draft master plan, and the endorsement dated 18.04.2019 is set aside to that extent.

5. With reference to the first objection, petitioner is required to submit the link documents and declarations. Within four weeks from the date on which the petitioner resubmits his application for permission along with documents required, respondents shall consider the same in accordance with law including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the Rules and Bye-laws made there under, and take a decision and communicate the same to the petitioner.

6. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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