

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13378 OF 2019

DATED :03.07.2019

Between :

Abdul Jabbar S/o.Shaik Hussaini,
Aged about 70 yrs, Occu : Business,
R/o.H.No.11-24-439, Pochmaidan Junction,
Warangal (Urban) District,
Telangana State

..

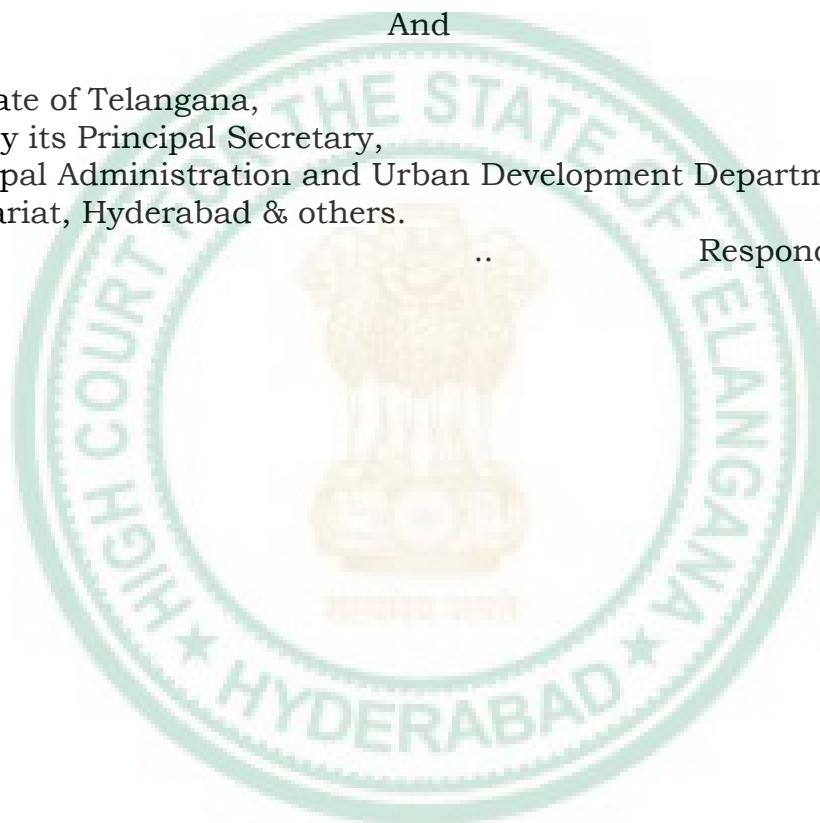
Petitioner

And

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

..

Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13378 OF 2019

ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Smt Pingali Lakshmi, learned Standing Counsel for respondent Nos.2 & 3.

2. Learned counsel for both sides agreed that this Writ Petition is covered by the order, dated 11.04.2014, in Writ Petition No.10465 of 2014. In view of the same, there shall be following similar order in this case also.

3. Admittedly, petitioner's application for grant of building permission was rejected by the 2nd respondent -Corporation on the ground that he did not supply a revised plan showing 150 ft. road as indicated in the notified Draft Master Plan and also he did not give any undertaking to surrender road affected portion. It is not disputed that no final notification is issued and that the Master Plan is still in the draft stage only. Therefore, the Draft Master Plan cannot be said to have come into force.

4. So, following the order, dated 11.04.2014, in W.P.No.10465 of 2014, the Writ Petition is allowed and the respondents are directed to consider the application of the petitioner for making construction in the subject property in accordance with the existing Master Plan and the "Shortfall Intimation Letter" File No.3006/18742/W28/2019, dated 06.06.2019 issued by the respondents is set aside. Within four weeks from the date on which the petitioner resubmits his

application for permission, respondent Nos. 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 petitioner. Pending miscellaneous petitions, if any, shall stand closed.

3rd July, 2019
Rds

P.NAVEEN RAO,J

