

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13434 OF 2019

DATED :04.07.2019

Between :

Sri Chippala Suresh Kumar, S/o.Late C.Muthyalu,
Aged about 55 yrs, Occu : Govt. Employee,
R/o.Plot No.52, Ayodhya Nagar,
Lothukunta, Tirumalagiri, Secunderabad.

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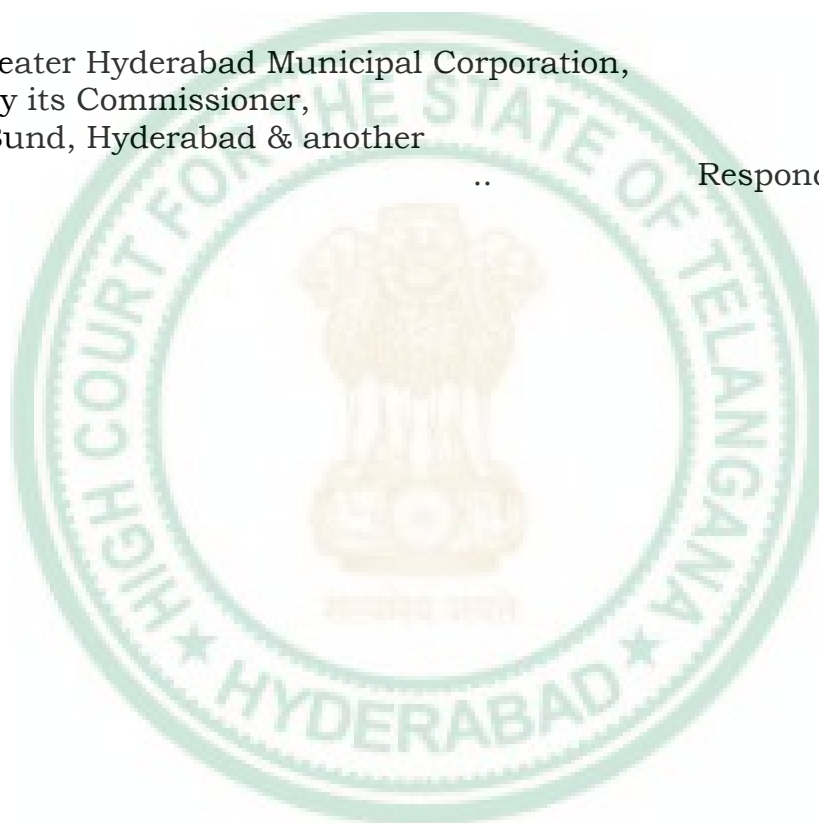
Petitioner

And

The Greater Hyderabad Municipal Corporation,
Rep., by its Commissioner,
Tank Bund, Hyderabad & another

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13434 OF 2019

ORDER :

Heard learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent No.2.

2. Petitioner claims to be the owner of property of Plot No.1377 admeasuring 160 Sq yards in Sy.Nos.167, 169 and 188 of Weavers Colony, Bhavana Nagar, within the limits of GHMC, Kapra, Keesara Mandal, Medchal-Malkajgiri District. Petitioner claims to have applied for building permission on 16.10.2018. The payment of receipt in proof of submission of application is filed as Ex.P.1 dated 16.10.2018. Petitioner has received shortfall letter dated 28.12.2018. On scrutiny of the shortfall letter received, the shortfall is not listed out but permission was deferred until receipt of legal opinion from the Standing Counsel. This Court fails to understand as to why the matter was referred to legal opinion and why the officer was waiting for legal opinion to process the building permission application. If the building permission application is not fulfilling the requirements, the competent authority ought to have informed the reasons, but cannot mention as if he is waiting for opinion of Standing counsel.

3. Having regard to the above, the competent authority is directed to process the building permission application submitted by petitioner on 16.10.2018 without reference to the reason assigned in serial No.2 in remarks column of Shortfall

letter dated 28.12.2018. If the building permission application is otherwise meeting all parameters, he shall grant permission. If the competent authority is of the view that building permission cannot be granted, he shall assign reasons in support of the decision and communicate the same to the petitioner. The entire exercise shall be completed within a period of three (3) weeks from the date of receipt of copy of this order.

4. With the above directions, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

4th July, 2019
Rds

P.NAVEEN RAO,J

