

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15888 OF 2019

Date:29.07.2019

Between:

Miryalkar Devender, S/o. Rajanna,
R/o.5-5-36, Laskhar Bazar, Hanamkonda,
Warangal, rep., by their General Power of
Attorney Shri M. Veera Kumar, S/o. Rajanna,
Occ: Business, R/o.5-5-36, Laskhar Bazar,
Hanamkonda, Warangal and others .. Petitioners

And

State of Telangana, Department of
Municipal Administration, rep., by its
Principal Secretary, Secretariat, Hyderabad
and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15888 OF 2019****ORDER:**

Heard learned counsel for the petitioners, Smt. P. Laxmi, learned Standing Counsel for respondent – GWMC, and Sri M. Ajay Kumar, learned Standing Counsel for KUDA.

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

3. Admittedly, petitioners application for grant of building permission was rejected by the second respondent-GWMC on the ground that they did not supply a revised plan showing 150 feet road, as indicated in the notified Draft Master Plan, and also they 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, this Writ Petition is allowed and the respondents are directed to consider the application of the petitioners for making construction in the subject property, in accordance with the existing Master Plan, and the 'Shortfall Intimation Letter' in File No.3006/19885/W43/2019, dated 24.07.2019, issued by the respondents is set aside. Within four weeks from the date on which the petitioners resubmit their application for permission, respondents Nos.2 and 3 shall consider the same, in accordance

with law, including the provisions of the Greater Hyderabad Municipal Corporation Act and, 1955 and the Rules and Byelaws made thereunder; take a decision thereupon; and communicate the same to the petitioners. There shall be no order as to costs. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:29.07.2019

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