

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.17568 OF 2019

ORDER:

Building permission application dated 12.04.2019 submitted by the petitioner was returned by proceedings dated 26.04.2019. The reason assigned in the remarks column would indicate that the petitioner did not enclose the ownership document as the proposed master plan road is 150 feet wide road. Petitioner challenges the said objection 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 ownership document 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 residential building in the subject property without insisting to submit the ownership document as per the draft master plan, and the endorsement dated 26.04.2019 is set aside. 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.

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

August 19, 2019

KTL

P.NAVEEN RAO, J

