

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21381 of 2019

ORDER:

In this writ petition, petitioners challenge the shortfall letter dated 20.08.2019, by which, respondent No.3-Assistant City Planner, Office of Commissioner, Town Planning Section, Serilingampally, GHMC, Hyderabad, straightaway rejected the application of the petitioners for grant of permission for construction of building over the plot admeasuring 121 square yards in Survey Nos.87/part, 88/2/part and 89/2/part of Serilingampally Village and Mandal, Ranga Reddy District, on the ground that there is a dispute with regard to the subject land.

It is to be noted that with respect to the subject land, if there is any restraint order, there is a duty cast on the respondents to intimate the same to the petitioners while rejecting the building permission and if the petitioners' title over the subject land is clear, the respondents are duty bound to consider their application. It is also to be noted that on the very inspection of subject land itself, respondent No.3 came to the conclusion that there is a civil dispute with respect thereof, thereby, rejected the application of the petitioners for grant of building permission.

In those circumstances, the writ petition is allowed and the impugned letter is set aside. Respondent No.3 is directed to reconsider the application of the petitioners, process the same in accordance with law and communicate the same to the petitioners.

This entire exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

Miscellaneous applications, if any pending, shall also stand disposed of. No costs.

CHALLA KODANDA RAM, J

Dt:26.09.2019

kdl



