

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23037 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of respondent Nos.2 and 3 in issuing the ‘Shortfall Intimation Letter’ File No.3006/20968/W53/2019, dated 16.10.2019 and not granting permission to building application dated 04.10.2019 referring alleged proposed draft Master Plan with 150 feet wide road as illegal, arbitrary, discriminatory, ultra vires and violative of Articles 14, 19 (1) (g) and 300-A of the Constitution of India and against principles of natural justice and consequently direct the respondents to grant building permission without reference to alleged proposed Draft Master Plan by setting aside the ‘Shortfall Intimation Letter’ File No.3006/20968/W53/2019, dated 16.10.2019 as referred by the respondents.....”

When the matter is taken up, it is submitted by the learned counsel for the petitioner as well as learned Standing Counsel for respondent Nos.2 and 3 that the issue raised in the present Writ Petition is squarely covered by the order dated 16.08.2019 passed by this Court in Writ Petition No.17400 of 2019.

Relevant portion of the aforesaid order reads as under:

“Following the order dated 11.04.2014 in W.P.No.10465 of 2014, this writ petition is also 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.3006/19882/W34/2019, dated 04.08.2019 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. “

Following the aforesaid order and for the reasons stated therein, this Writ Petition is also allowed in terms thereof.

Miscellaneous petitions, if any, pending in this Writ Petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:22.10.2019
kdl



