

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23880 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“....to issue an appropriate 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 3006/20846/W39/2019 dated 14/10/2019 and not granting permission to building application dated 27/09/2019 referring Draft Master Plan as illegal, arbitrary discriminatory, ultra vires and violative of Articles 14, 19 (1) (g) and 300A of the Constitution of India and against principles of natural justice and consequently direct the Respondents to grant Building Permission without reference to Draft Master Plan by setting aside the “SHORTFALL INTIMATION LETTER” file No. 3006/20846/W39/2019 dated 14/10/2019 as referred by 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 11.04.2014 passed by this Court in Writ Petition No.10465 of 2014.

Relevant portion of the aforesaid order reads as under:

“As long as a final notification is not issued, and the master plan is still at the draft stage, it cannot be said to have come into force. The petitioner is, therefore, entitled to have his application considered in accordance with the existing master plan. The impugned endorsement dated 12.02.2014 is set aside. Within four weeks from the date on which the petitioner resubmits his application, respondents 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.

The writ petition is, accordingly, disposed of. ”

Following the aforesaid order and for the reasons stated therein, this Writ Petition is also disposed of 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:05.11.2019
kdl

