

HONOURABLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.25066 OF 2019

ORDER (ORAL) :

The relief sought in this writ petition is to declare the action of respondent Nos.2 and 3 in not granting permission on the building application submitted by the petitioner, referring to the draft master plan, as illegal and arbitrary and to set aside the letter, dated 04.11.2019.

2. Smt Pingali Lakshmi, learned Standing Counsel for Warangal Municipal Corporation, on instructions, would submit that a draft master plan has been prepared widening the existing 100 feet road to 200 feet; that draft proposals have been submitted to the Government; that objections have already been invited and that a final notification approving the draft master plan is yet to be issued. She would fairly concede that the application submitted by the petitioner is in accordance with the existing master plan; and the said application has not been considered only because the master plan is in the process of being revised.

3. As a final notification is not issued approving the draft master plan, the same cannot said to have come into force. Therefore, the petitioner is permitted to resubmit its application in accordance with the existing master plan.

4. In those circumstances, the writ petition is allowed and the impugned letter is set aside. Within four weeks from the date on which the petitioner resubmits its application, respondent Nos. 2 and 3 shall consider the same in accordance with the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 and the Rules and Byelaws made thereunder; take a decision thereupon and communicate the same to the petitioner.

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

November 14, 2019.
PV

T. VINOD KUMAR, J