

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.25319 OF 2019

ORDER

The relief sought for in this writ petition is to declare the action of respondent Nos. 2 and 3, in not granting building construction permission on the application of the petitioner dated 25.10.2019, by referring to the draft master plan, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration and Urban Development for respondent No.1.

Smt. Pingali Lakshmi, learned Standing Counsel for Warangal Municipal Corporation, appearing for respondents 2 to 4, on instructions, would submit that a draft master plan has been prepared for widening the existing 100 ft road to 150 ft; draft proposals have been submitted to the Government; objections have already been invited; and a final notification, approving the master plan, is yet to be issued. Learned Standing Counsel would fairly submit 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 revision.

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 her application considered in accordance with the existing master plan. The impugned letter dated 02.11.2019 is set aside. Within four weeks from the date on which the petitioner resubmits her

application, respondent Nos.2 and 3 shall consider the same in accordance with law, including 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.

The writ petition is, accordingly disposed of.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:19—11—2019

AVS

