

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.25461 of 2019

ORDER:

Heard learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, and Smt.P.Lakshmi, learned Standing Counsel for respondents Nos.2 and 3.

Admittedly, the petitioners' application for grant of building permission was rejected by respondent No.3 on the ground that he did not supply a revised plan showing 150 ft. road as indicated in the Draft Master Plan and did not give any undertaking to surrender the road affected portion. It is not in dispute that no final notification is issued and that the Master Plan is still in the draft stage only. Therefore, the Draft Master Plan cannot be said to be in force.

Learned counsel for both sides agree that this Writ Petition is covered by the order dated 11.04.2014 passed by this Court in W.P.No.10465 of 2014.

Following the order dated 11.04.2014 passed by this Court in Writ Petition No.10465 of 2014, this Writ Petition is allowed and the 'Shortfall Intimation Letter' File No.3006/19548/W54/2019 dated 10.07.2019 issued by respondent No.3 is set aside. Further, the petitioner is permitted to resubmit to the respondent authorities concerned his application for grant of permission for making

construction in the subject property in accordance with the existing Master Plan. Within four weeks from the date of receipt thereof, the respondent authorities concerned shall consider the same and take a decision in accordance with law, including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, and the Rules and the Byelaws made thereunder, and communicate the same to the petitioner. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall also stand disposed of.

Date: 19.11.2019
va

A. RAJASHEKER REDDY, J

