

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.25922 of 2019

ORDER :

This writ petition is filed seeking *Mandamus* declaring the action of the respondents in not releasing Building Permission to the petitioners in accordance with the Technical Approval granted by respondent No.2 vide Application No.012251/MED/R1/U6/HMDA/31052018, dt.15.05.2019, in respect of the property to an extent of 3,138.76 square meters in Sy.No.146/B, situated at Bachupalli Village, Bachupally Mandal, Medchal-Malkajgiri District, for construction of residential building, as arbitrary and illegal and consequently sought a direction to the respondents to release the Building Permission to the petitioners to enable them to proceed with the construction activity.

Heard Sri K. Goverdhan Reddy, learned counsel for the petitioners, the learned Government Pleader for MA & UD appearing for respondent No.1; Sri V. Narasimha Goud, learned Standing Counsel for respondent No.2 – HMDA; and Sri N. Praveen Kumar, learned Standing Counsel for respondent No.3 – Nizampet Municipal Corporation.

Learned counsel for the petitioners submits that though respondent No.2 vide proceedings dt.15.05.2019 accorded Technical Approval for construction of residential building and directed respondent No.3 – Executive Authority vide letter dt.15.05.2019 to sanction Building Permission on complying with the other formalities as suggested in the said Technical Approval and though the petitioners have complied with all the formalities mentioned in the Technical Approval, respondent No.3 - Executive Authority has not taken any action for release of Building Permission to the petitioners in terms of the Technical Approval dt.15.05.2019.

Learned Standing Counsel for respondent No.2 submits that the petitioners have to comply with the conditions imposed in the Technical Approval proceedings dt.15.05.2019.

In view of the above facts and circumstances, respondent No.3 is directed to take action for release of the Building Permission in terms of the Technical Approval proceedings dt.15.05.2019 issued by respondent No.2, subject to compliance of conditions laid down therein, within a period of four (4) weeks from the date of receipt of a copy of this order.

With the above observation and direction, this writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

25.11.2019.
Msr



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