THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27202 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

> "For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the Lr. No. 2/C20/09201/2019, dtd. 22-5-2019, issued by the respondent No.3 directing the Petitioner to submit "No Objection Certificate" from the 5th respondent for grant of permission for building construction consisting of Stilt Plus 4 upper floors with regard to his property admeasuring 500 Sq. yds of land, in Plot No. 256, in Sy.No.66/2, situated at Raidurg Nowkhalsa Village, Serilinampally Mandal, Ranga Reddy District, as illegal, arbitrary, unconstitutional and contrary to law and consequently direct the 3rd respondent to receive and consider his application without insisting on a "No Objection Certificate" from the Revenue Authorities and release sanction for the construction of the building in the said property and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. Heard Sri K.Sudershan, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, Sri Sampath Prabhakar Reddy, learned standing counsel appearing for respondents 2 & 3 and the learned Government Pleader for Revenue appearing for respondents 4 & 5. Perused the material available on record.

3. It is seen from the shortfall letter, dated 22.05.2019, issued by the 2nd respondent to the petitioner, that there are certain objections including the submission of NOC from the Revenue Department.

4. With regard to the objection of obtaining NOC from the Revenue Department is concerned, it is submitted by learned counsel for both sides that the issue in the present writ petition is squarely covered by the order, dated 27.09.2019, in W.P.No.16560 of 2019 of this Court, wherein this Court has categorically stated that the application of the petitioner shall be considered without insisting for No Objection Certificate from the Revenue Department. A copy of the same is filed along with writ material papers.

5. With regard to the other objections raised in the shortfall letter, dated 22.05.2019, are concerned, learned counsel for the petitioner submitted that the petitioner shall comply with the same.

6. Having regard to the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and following the order, dated 27.09.2019, in W.P.No.16560 of 2019 of this Court, and for the reasons stated therein, this Writ Petition is also disposed of in terms thereof. There shall be no order as to costs.

7. Office to enclose a copy of the order, dated 27.09.2019, in W.P.No.16560 of 2019 to this order.

8. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

T. AMARNATH GOUD, J

Date: 17th December, 2019

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HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD