

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28738 OF 2019

DATED : 27.12.2019

Between :

K.Vinay Kumar S/o.K.Rama Reddy,
Aged about 40 yrs, Occu : Private Service,
Flat No.105, Gokoul Krihna Apartment,
Hyderabad.

..... Petitioner

And

The State of Telangana,
Rep., by the Principal Secretary,
Municipal Administration and Urban Development,
Secretariat Buildings, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Revenue for respondent No.1 and learned Standing counsel for respondents 2 to 4.

2. Petitioner claims that he made application for grant of building permission on 16.07.2018. On 11.08.2018, petitioner was informed of the shortfalls in the building permission application. This shortfall letter is challenged in this writ petition.

3. Learned counsel for the petitioner submits that the respondent Municipal Corporation cannot insist for production of No Objection Certificate (NOC) from the Mandal Revenue Officer and the same is illegal. Learned counsel placed reliance on the decision of this Court in W.P.No.13440 of 2019 to support her contention that on the same issue in the same survey number, directions are issued and petitioner is also entitled to similar directions.

4. However, it is seen from the order of this Court in W.P.No.13440 of 2019, that the issue in the said writ petition is not similar to the issue in the present writ petition, though the survey number is same. Further in the remarks column of the shortfall letter, it is seen that there are several aspects mentioned. These are required to be complied before processing the application further.

5. Learned counsel for the petitioner sought to contend that petitioner succeeded before the Civil Court in establishing his title against the respondent-Government. However, the same appears to be not placed before the Municipal Corporation. Therefore, petitioner cannot blame that Municipal Corporation has not processed the building permission application properly.

6. At this stage, learned counsel for the petitioner seeks leave of the Court to respond to the shortfall letter by submitting all the documents required by the Municipal Corporation.

7. In view thereof, the Writ Petition is disposed of, granting liberty to the petitioner to respond to the shortfall letter issued on 11.08.2018, by enclosing all the relevant documents in support of his claim. If petitioner responds to the shortfall letter, by enclosing all the documents, the same shall be considered and suitable reply be furnished to the petitioner, within a period of four weeks from the date of submission of such application. Pending miscellaneous petitions, if any, shall stand closed.

27th December, 2019
Rds

P.NAVEEN RAO,J