

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.41721 OF 2018

Date: 08.07.2019

Between:

Gottimukkala Prabhakar, s/o. Narsaiah, Aged 41 years,
Occu: Govt.Employee, r/o.Ghanpuram (Mulugu) village
and mandal, Warangal district and others.

.....Petitioners

and

The State of Telangana, rep.by its Prl.Secretary,
Municipal Administration & Urban Development
Department, Secretariat Buildings, Hyderabad and
others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners claimed to have purchased the plot Nos.4, 1, 3B, 34, 5 and 5, respectively, with different extents mentioned in paragraph-2 of the affidavit, in Sy.No.565/A of Waddepally village, Hanamkonda Mandal, Warangal district. Petitioners intend to develop the said properties. However, they are unable to make applications for construction of houses as corrective measures are not taken up by Kakatiya Urban Development Authority (KUDA), Warangal (3rd respondent).

2. The subject properties are covered by D.P.No.8/86 of Waddepally village. Second Appeal No.755 of 2013 and batch were considered by this Court and rendered judgment on 27.10.2014. This Court held that the respondents i.e., Kakatiya Urban Development Authority and the Municipal Corporation, Warangal, deleted the land in Sy.No.565 of K.Mogili and a separate G.P. Plan 23/2001 was prepared for deletion of land of K.Mogili. In view of the said judgment, the earlier objections on D.P.No.8/86 are no more valid. After the judgment rendered by this Court in Second Appeal No.755 of 2013 and batch, immediate steps were taken, revised proceedings were issued by KUDA and consequently orders for regularization were also issued. In earlier W.P.No.971 of 2019, it was categorically stated by KUDA that subject lands, on which construction is proposed by the petitioners, were not part of the layout open space vide D.P.No.8/86.

3. Learned standing counsel though fairly submits that steps are required to be taken in compliance of the judgment rendered by this Court in Second Appeal No.755 of 2013 and batch, immediately steps could not be taken for administrative reasons.

4. Apparently, there is no dispute regarding claim of petitioners, but the exercise is not completed for administrative reasons, depriving the petitioners to develop their land by constructing houses. Therefore, KUDA is directed to take immediate steps to issue appropriate proceedings in compliance of the judgment rendered by this Court in Second Appeal No.755 of 2013 and batch, dated 27.10.2014, at any rate, within a period of three weeks from the date of receipt of copy of this order. On obtaining appropriate proceedings from KUDA, petitioners are entitled to apply for building permissions.

5. Writ petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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