

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.29129 OF 2019

Date:08.01.2020

Between:

Smt. Gandhi Mallikamba,
W/o. Late Narsaiah, aged 55 years,
R/o.H.No.2-16/11, Mamnoor,
Hanamkonda, Warangal – 506 166 .. Petitioner

And

The State of Telangana,
rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat Buildings, Hyderabad
and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.29129 OF 2019****ORDER:**

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration for respondent No.1 and Smt. P. Laxmi, learned Standing Counsel for respondent-GWMC.

2. Learned counsel for both sides agreed that this Writ Petition is covered by the order, dated 11.04.2014, in W.P.No.10465 of 2014. In view of the same, there shall be the following similar order in this case also.

3. Admittedly, petitioner's application for grant of building permission was rejected by the second respondent-GWMC on the ground that she did not supply a revised plan showing 150 feet road, as indicated in the notified Draft Master Plan. It is not disputed 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 have come into force.

4. So following the order, dated 11.04.2014, in W.P.No.10465 of 2014, this Writ Petition is allowed and the respondents are directed to consider the application of the petitioner for making construction in the subject property, in accordance with the existing Master Plan, and the 'Shortfall Intimation Letter' in File No.3006/21630/W7/2019, dated 07.12.2019, issued by the respondents is set aside. Within four weeks from the date on which the petitioner resubmits her application for permission, respondents Nos.2 and 3 shall consider the same, in accordance

with law, including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 and the Rules and Byelaws made thereunder; take a decision thereupon; and communicate the same to the petitioner. There shall be no order as to costs. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

January 08, 2020.

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