

THE HONORABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.22475 of 2022

ORDER

This writ petition is filed questioning the action of respondent No.3 in insisting the petitioner to produce NOC from ULC Department for Plot No.143-C & 144-C, in Sy.No.71, admeasuring 350 sq. yards each equivalent to 292.64 sq. mtrs each situated at Raghavendra Colony, Kondapur Village, Serilingampally Mandal, Rangareddy District, through the shortfall letter dated 11.04.2022, as illegal and arbitrary.

2. Heard learned counsel for the petitioner Mr.G. Vasantha Rayudu, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, learned Standing Counsel Mr. Sampath Prabhakar Reddy for respondent Nos.2 and 3 and learned Government Pleader for Revenue.

3. Learned counsel for the petitioner submits that in respect of the very same matters, this Court, in W.P.No.21580 of 2008 and batch dated 28.03.2017, held that Urban Land Ceiling proceedings are not applicable to the subject lands and the Urban Land Ceiling Act itself is repealed. He further submits that the subject land comes under GHMC limits and in spite of the said orders, again respondent No.3 is insisting for NOC and refusing to grant building permission for construction of a

residential building and hence, the petitioner is constrained to approach this Court.

4. Learned Standing Counsel for respondent Nos.2 and 3 submits that against the orders passed in W.P.No.21580 of 2008 and batch dated 28.03.2017, appeals are preferred and they are going to be listed on 08.06.2022, till such time, this matter may be kept pending.

5. The fact remains is that the orders in W.P.No.21580 of 2008 and batch were passed on 28.03.2017 declaring that the subject lands does not fall under Urban Land Ceiling Proceedings. In view of the said orders passed by this Court and as no interim orders are passed in the writ appeals, the order dated 28.03.2017 is subsisting. Therefore, the respondents shall process the application of the petitioner for building permission without insisting for NOC from the Urban Land Ceiling Department in the light of the orders passed by this Court in W.P.No.21580 of 2008 and batch dated 28.03.2017.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

SMT LALITHA KANNEGANTI, J

28th April, 2022.

sj