

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE ELEVENTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY THREE

:PRESENT:**THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY****WRIT PETITION NO: 9148 OF 2023****Between:**

Sheikh Mohammed Fayazuddin, S/o. Late Shamshuddin

...Petitioner**AND**

1. The State of Telangana, Rep by its Principal Secretary Revenue (U.C.I) Department, Secretariat Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tank Bund Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by Deputy Commissioner, Circle No.11, GHMC Serilingampally Zone, Ranga Reddy District.
4. The Assistant City Planner, Serilingampally Zone Ranga Reddy District.
5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, Hyderabad.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents No.2, 3 and 4 in not considering the LRS application No.LRS/439/New/Cir-11/WZ /2010 dated 30-12-2010. In spite of the orders the Honble Court dated 28-03-2017 in WP No. 21580/2008 and WP No.15091/2021 dated 20-07-2021 is being arbitrary, illegal and violative of Articles 14, 21 and 300-A of the Constitution of India. And further direct to consider LRS application dated 30-12-2010 in respect of the Plot No.335 in Survey Nos.78 to 93, admeasuring 300.00 Sq.yds., situated at Raja Rajeshwara Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District, and bounded by North: Plot No.336, South: Plot No.334, East: 30 wide road West: Plot No.349.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents 2, 3 and 4 to process and dispose LRS Application No.LRS/439/New/Cir-11/WZ/2010 dated: 30-12-2010 in respect of the Plot No.335 in Survey Nos.78 to 93, admeasuring 300.00 Sq.yds., situated at Raja Rajeshwara Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District, and bounded by North: Plot No.336, South: Plot No.334, East: 30 wide road, West: Plot No.349, pending disposal of WP.No.9148 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SMT. THAKUR ROOPA SINGH Advocate for the Petitioner, Mr. HARENDER PERSHAD learned Special Government Pleader for the Respondent Nos.1 and 5 and SRI. M.A.K. MUKHEED Advocate for the Respondent Nos.2 to 4, the Court made the following.

ORDER:

Heard learned counsel for the petitioner and Mr. Harender Pershad, learned Special Government Pleader.

Learned counsel for the petitioners relied upon the orders passed by this Court in WP.No.25459 of 2022 dated 29.07.2022.

The aforesaid writ petition was filed seeking direction to the respondent Nos.1 and 2-GHMC to consider the LRS application of the petitioner without insisting for clearance certificate /NOC from the ULC authorities. Learned Single Judge, taking into consideration the orders passed by this Court in WP.No.21580 of 2008 and batch dated 28.03.2017 and WP.No.11241 of 2021 dated 28.04.2021, disposed of WP.No.25459 of 2022 directing the official respondents-GHMC to consider the LRS application of the petitioner therein without insisting for NOC or clearance certificate from the ULC authorities.

Learned counsel for the petitioner submitted that on similar terms orders may be passed in this writ petition.

In view of the fact that order dated 29.07.2022 was passed in WP.No.25459 of 2022 in similar circumstances, there shall be interim direction to the respondents No.1 and 2 to consider the LRS application in Lr.No.LRS/439/ CIR-11/WZ/2010 dated 30.12.2010 of the petitioner without insisting for production of clearance certificate/NOC from the ULC authorities in respect plot bearing No.335, Sy.Nos.78 to 93, admeasuring 300 sq. yards, Raja Rajeshwara Nagar Colony, Kondapur Village, Serilingampally Mandal, Ranga Reddy District, within a period of two (2) months from the date of receipt of a copy of this order.

List on 20.12.2023.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue (U.C.I) Department, State of Telangana, Secretariat Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.11, GHMC Serilingampally Zone, Ranga Reddy District.
4. The Assistant City Planner, Serilingampally Zone Ranga Reddy District.

5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, Hyderabad (RR 1 to 5 by RPAD).
6. One CC to SMT. THAKUR ROOPA SINGH, Advocate [OPUC].
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
8. One spare copy
ZEE

HIGH COURT

BVRJ

DATED:11/10/2023

LIST ON 20.12.2023

ORDER

WP.No.9148 of 2023

INTERIM DIRECTION

