

**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: 13727 OF 2023****Between:**

Modala Lavanya, W/o. Modala Purushotham

**...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 for not processing the building permission vide application No.TS/022704/2022 dated: 05-12-2022 in respect of the plot bearing No.978, in survey Nos.78 to 93, admeasuring 300 Sq.yards situated at Raja Rajeswara Nagar, Kondapur (Village) Serilingampally Mandal, Ranga Reddy District and bounded by North: Plot No.977, South: Plot No.979, East: 30 feet wide road, West: Plot No.983.

**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 respondents 2, 3 and 4 to process the building permission vide application No.TS/022704/2022 dated: 05-12-2022 in respect of the plot bearing No.978, in survey Nos.78 to 93, admeasuring 300 Sq.yards situated at Raja Rajeswara Nagar, Kondapur (Village) Serilingampally Mandal, Ranga Reddy District and bounded by North: Plot No.977, South: Plot No.979, East: 30 feet wide road, West: Plot No.983, pending disposal of WP.No.13727 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 building permit No.2/C20/00503/2021 dated 12.01.2021 and permit No.236759/1325/GHMC/2022 dated 05.12.2022 granted in respect of the plots situated in Raja Rajeshwara Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District. She also relied upon the orders passed by this Court in WP.No.15091 of 2021 dated 20.07.2021.

The aforesaid writ petition was filed seeking direction to the respondent No.3-GHMC to consider building permission application without insisting for clearance certificate /NOC from the ULC authorities. Learned Single Judge, taking into consideration pendency of WP.No.18768 of 2011, disposed of WP.No.15091 of 2021 directing the official respondents-GHMC to consider the building permission application of the petitioner therein on its own merits without insisting for NOC or clearance from the ULC authorities. Learned Single Judge made it clear that any permission granted therein shall be subject to the further orders that would be passed in WP.No.18768 of 2011. Further, it was also observed that if any adverse orders are passed in WP.No.18768 of 2011, the writ petitioner shall not claim any equities.

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 20.07.2021 was passed in WP.No.15091 of 2021 in similar circumstances, there shall be interim direction to the respondents No.2 to 4 to consider the building permission vide application No.TS/022704/2022 dated 05.12.2022 of the petitioner in respect of plot No.978, Sy.No.78 to 93, admeasuring 300 sq. yards, Raja Rajeshwara Nagar Colony, Kondapur Village, Serilingampally Mandal, Ranga Reddy District. It is made clear any construction/alienation made by the petitioner, in case building permission is granted, shall be subject to final result of the orders likely to be passed in WP.No.18768 of 2011. If any adverse orders are passed, the petitioner shall not claim any equities.

List on 20.11.2023.

SD/- K. AMMAJI  
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 20.11.2023**

**ORDER**

**WP.No.13727 of 2023**

**INTERIM DIRECTION**

