

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

FRIDAY, THE TWENTY SEVENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY

**:PRESENT:  
THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY**

**WRIT PETITION NO: 20774 OF 2020**

**Between:**

1. Sri Mulam Kalyana Chakravarthi, D/o.M.Janardhan Rao,
2. Smt Chodey Krishna Padmaja, W/O Mulam Kalyana Chakravarthi

...Petitioners

**AND**

1. The Government of Telangana, Rep by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad
2. Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Lower Tankbund, Hyderabad
3. City Planner, Greater Hyderabad Municipal Corporation, Circle 20, Serilingampalli, Ranga Reddy District

...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 Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the inaction of the Respondents No. 2 and 3 in processing building application of the petitioner in respect of the schedule property i.e., Plot No. 543-B & 544-B, admeasuring 406 Sq. yards, in Sy. No. 204, situated at Sriram Nagar Colony, Kondapur Village, Serilingampally Mandal and under GHMC Circle, Ranga Reddy District, is illegal, arbitrary and unconstitutional and consequently direct the Respondent No. 3 to process building application of the petitioner dt. 09-11-2020 without insisting NOC from the ULC Department in respect of schedule property bearing PlotNo. 543-B and 544-B, admeasuring 406 Sq. yards, in Sy. No. 204, situated at Sriram Nagar Colony, Kondapur Village, Serilingampally Mandal and under GHMC Circle, Ranga Reddy District, and orders may be passed accordingly in the interest of justice.

**IA NO: 1 OF 2020**

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 issue interim directions Respondents No. 3 to process the building application of the petitioner dt. 09/11/2020 without insisting NOC in respect of the schedule property bearing Plot. No. 543-B & 544-B, admeasuring 406 Sq. yards, in Sy. No. 204, situated at Sriram Nagar Colony, Kondapur Village, Serilingampally Mandal and under GHMC Circle, Ranga Reddy District pending disposal of the WP.No.20774 of 2020, 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 SRI.R.A.CHARY Advocate for the Petitioners and GP for Municipal Administration for Respondent No.1 and Sri.Sampath Prabhakar Reddy standing counsel for Respondent 2&3 the Court made the following.

**ORDER**

The case of the petitioners is that they are the owners of the property bearing plot No.543-B, admeasuring 200 sq.yards in survey No.204 situated at Sri Ram Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District. Petitioners submitted an application for grant of building permission


vide No.2/C20/15079/2020, dated 09.11.2020 and also paid a sum of Rs.10,000/- besides submitting required documents. However, the respondents instead of processing his application, are insisting the petitioner for submitting No-Objection Certificate from ULC authorities.

Learned Standing Counsel, on written instructions, has stated that the entire land in survey No.204 of Kondapur Village, Serilingampally Mandal, Ranga Reddy District, is covered by ULC Surplus, as per the information received from the Deputy Collector & Tahsildar, Serilingampally Mandal. As such, the petitioner was intimated to submit clearance from the ULC authorities.

In similar circumstances, this Court vide order dated 25.10.2016 in W.P.No.7753 of 2015, has directed the respondents therein to process the building applications of the petitioners therein, without insisting for NOC from the ULC authorities.

In view of the rival submissions made and for the reasons alike in the order dated 25.10.2016 passed by this Court in W.P.No.7753 of 2015, there shall be an interim direction to the respondents herein to process the application dt.09.11.2020 of the petitioners for building permission in respect of the subject plot and take appropriation action in accordance with law, subject to the condition of the petitioner fulfilling the other conditions imposed for grant of Building Permission without insisting for NOC, which shall be subject to the further orders in the writ petition.

Post along with W.P.No.10020 of 2018.

Sd/- **K.SAILESHI**  
**ASSISTANT REGISTRAR**  
  
**SECTION OFFICER**

//TRUE COPY//

To

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tankbund, Hyderabad
3. The City Planner, Greater Hyderabad Municipal Corporation, Circle 20, Serilingampalli, Ranga Reddy District (RR-1 to 3 by RPAD)
4. One CC to SRI.R.A.CHARY Advocate [OPUC]
5. Two CCs to the GP for Municipal Administration, High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

AAR,J

DATED: 27.11.2020

NOTE: POST ALONG WITH  
W.P.NO.10020 OF 2018



WP.NO.20774 OF 2020

INTERIM DIRECTION