

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.17809 of 2022

O R D E R:

This Writ Petition is filed questioning the action of the 3rd respondent in insisting the petitioner to produce 'No Objection Certificate' from ULC Department for Plot No. 273-C in Survey No.77 admeasuring 300 sq. yards situated at Raghavendra Colony, Kondapur Village, Serilingampally Mandal, Rangareddy District, through the shortfall letter dated 02.02.2022.

2. Sri G. Vasantha Rayudu, learned counsel for the petitioner submits that in respect of the very same matters, this Court in Writ Petition No.21580 of 2008 and batch by order 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that '*Urban Land Ceiling proceedings are not applicable to the subject lands and the Urban Land Ceiling Act itself is repealed*'.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 the 3rd respondent is insisting on production of 'NOC' and refusing to grant building permission for construction of a residential building, hence, the petitioner is constrained to approach this Court.

3. Learned Standing Counsel for Respondents 2 and 3 Sri Sampath Prabhakar Reddy submits that against the order passed in Writ Petition 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.

4. This Court passed the order dated 28.03.2017 in Writ Petition No. 21580 of 2008 and batch declaring that the subject lands do not fall under Urban Land Ceiling Proceedings. As no interim order is 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 on production of 'NOC' from the Urban Land Ceiling Department in the light of the order dated 28.03.2017 in Writ Petition No. 21580 of 2008 and batch.

5. The Writ Petition is accordingly, disposed of. There shall be no order as to costs.

6. The miscellaneous petitions, if any shall stand closed.

JUSTICE LALITHA KANNEGANTI

11th April 2022.

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