

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND NINE

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 12878 of 2009

Between:

- 1 E.Sharadamma, W/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 2 E.Gyan Kumar, S/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 3 E.Madhusudhan, S/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 4 E.Mahender, S/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 5 Smt.E.Aruma, D/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 6 Smt.E.ASnitha, D/o.Late E.Veera Mallesh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 7 Smt.E.Gouramma, W/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 8 E.Satish Kumar, S/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 9 E.Shiv Kumar, S/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 10 E.Sudhakar Kumar, S/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 11 E.Shravan Kumar, S/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 12 Smt.Maheswari, D/o.Late E.Krishna
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 13 Smt.Swaroopaa, W/o.late E.Anjaiah

- R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 14 Smt.Mamatha, D/o.late E.Anjaiah
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 15 Smt.Samatha, D/o.late E.Anjaiah
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 16 Kum E.Sangeetha, D/o.late E.Anjaiah
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 17 Kum E.Akhila, D/o.late E.Anjaiah
R/o.H.No.9-2-332, Pensionpura, Langerhouse, Hyderabad-8.
(Minor under guardianship of Smt.Swaroopu, Natural Mother.)
- 18 Smt.Durgamma, W/o.late E.Parvasthalu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 19 Smt.Madhavi, D/o.late E.Parvasthalu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 20 Kum. Malathi, D/o.late E.Parvasthalu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 21 Kum. Geetha, D/o.late E.Parvasthalu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 22 Sri Sailam, S/o.late E.Parvasthalu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 23 Smt.Uma, W/o.Late Suresh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 24 Sri Mahesh, S/o.Late Suresh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 25 Kum. Keerthi, D/o.Late Suresh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 26 Smt.Vinay Kumar, S/o.late Suresh
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 27 Sri Ramesh, S/o.late Sattaiah
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.
- 28 Kum.Malleshwari, D/o.Sri Ramesh
R/o.H.No.9-2-332,Pensionpura, Langerhouse,Hyderabad-8.
(minor under guardianship of Sri Ramesh Natural father)
- 29 Smt.E.Sadguna, W/o.E.Manik Prabhu
R/o.H.No.9-2-332, Pensionpura,
Langerhouse, Hyderabad-8.

- 30 Arvind Kumar, S/o.Sri Manik Prabhu
R/o.H.No.9-2-332,Pensionpura, Langerhouse,Hyderabad-8.
(minor Under the guardianship of Smt.E.Sadguna, natural mother)
- 31 Kum.Anusha, D/o.Sri Manik Prabhu
R/o.H.No.9-2-332,Pensionpura, Langerhouse,Hyderabad-8.
(minor Under the guardianship of Smt.E.Sadguna, natural mother)
- 32 E.Laxmamma, S/o.late E.Ramaiah
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 33 Smt. Kamala Bai, W/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 34 Sri E. Vijay Kumar, S/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 35 Sri E. Satish Kumar, S/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 36 E. Raj Kumar, S/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 37 E. Anil Kumar, S/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 38 Smt. E. Anitha, D/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 39 Smt. E. Laxmi bai, D/o. E. Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 40 Smt. Kistamma, W/o. E. Yadaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 41 E. Mahender, S/o. E. Yadaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 42 E. Manohar, S/o. E. Yadaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 43 E. Budda Mallesh, S/o. late E. Ramaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 44 Kum. Swathi, D/o. E. Budda Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 45 KUM. Madhavi, D/o. E. Budda Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 46 Kum. Rajani, D/o. E. Budda Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 47 E. Rahul, S/o. E. Budda Mallesh,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
()Petitioners 44 to 47 being minors under the guardianship of E.
Budda
Mallesh, natural Father)
- 48 Sri E. Gopal, S/o. Late E. Ramaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 49 Sri E. Kumar, S/o. Late E. Ramaiah,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
- 50 E. Manish, S/o. E. Kumar,
R/o. H.No. 9-2-423, Pensionpura, Langerhouse, Hyderabad.
(Being Minor Under the Guardianship of Sri E. Kumar Natural
Father)
- 51 E. Laxmamma, W/o. late E. Mallesh,

- R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 52 Smt. E. Radha, D/o. late E. Mallesh,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 53 Smt. E. Balamani, D/o. late E. Mallesh,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 54 Smt. E. Pramela D/o. late E. Mallesh,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 55 E. Raju, S/o. Late E. Mallesh,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 56 E. Hrudhay, S/o. Late E. Mallesh,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
(Minor Under Guardianship of Smt. E. Laxmamma)
- 57 Sri E. Narsimha, S/o. E. Jangiah,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 58 Smt. E. Manjula, D/o. E. Narsimha,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 59 Smt. E. Renuka, D/o. E. Narsimha,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 60 Sri E. Srinivas, S/o. E. Narsimha,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 61 Smt. E. Jaya Laxmi, D/o. E. Narsimha,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 62 Sri E. Ramu, S/o. E. Narsimha,
R/o. H.No. 9-2-300/A, Pensionpura, Langerhouse, Hyderabad.
- 63 E. Mallesh, S/o. Late Chinna Agaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 64 E. Suni Mahesh, S/o. E. Mallesh,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 65 Smt. E. Swetha, D/o. E. Mallesh,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 66 E. Sravan Kumar, S/o. E. Mallesh,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 67 E. Yadaiah, S/o. Late Chinna Agaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 68 Kum. E. Soumya, D/o. E. Yadaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 69 E. Anil Kumar, S/o. E. Yadaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 70 Ku. E. Sangeetha, S/o. E. Yadaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 71 Kum. E. Priyanka, S/o. E. Yadaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(petitioners 70 and 71 being Minors under Guardianship of Sri E. Yadaiah, Natural Father
- 72 E. Rama Swamy, S/o. Late Chinna Agaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 73 E. Sandeep, S/o. E. Rama Swamy,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 74 Kum. E. Madhavi, D/o. E. Rama Swamy,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.

- 75 Kum. E. Bhanu, D/o. E. Rama Swamy,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(Petitioners 75 & 76 being Minors, Under Guardianship of E. Rama Swamy, natural Father)
- 76 Master E. Manikanth, D/o. E. Rama Swamy,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(Petitioners 75 & 76 being Minors, Under Guardianship of E. Rama Swamy, natural Father)
- 77 E. Praven Kumar, S/o. Late Chinna Agaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 78 Kum. E. Navya, D/o. E. Praveen Kumar,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 79 Master E. Devesh, S/o. E. Praveen Kumar,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 80 Kum. E. Harika, D/o. E. Praveen Kumar,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(Petitioners 78 to 80 being Minors, under Guardianship of E. Praveen Kumar, Natural Father)
- 81 Sri E. Krishna, S/o. Late Chinna Agaiah,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
- 82 Kum. E. Nithisha, D/o. E. Krishna,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(Petitioners 75 & 76 being Minors, Under Guardianship of E. Rama Swamy, natural Father)
- 83 Kum. E. Harsitha, D/o. E. Krishna,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.

(Petitioners 75 & 76 being Minors, Under Guardianship of E. Rama Swamy, natural Father)
- 84 Kum. E. Anusha, D/o. E. Krishna,
R/O. H.NO. 9-2-341/1, Pensionpura, Langerhouse, Hyderabad.
(Petitioners 82 to 84 being Minors, Under Guardianship of E. Krishna, natural Father)
- 85 E. Sattaiah, S/o. E. Agaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 86 E. Kumar, S/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 87 E. Mallamma, D/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 88 Smt. E. Anitha, D/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 89 Smt. E. Sujatha, D/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 90 Sri E. Laxman, D/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 91 SRI E. Mahender, S/o. E. Sattaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 92 Smt. E. Lalithamma, W/o. late E. Venkatesh,

- R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 93 SMT. E. Sunitha, D/o. E. Venkatesh,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 94 Smt. E. Kalama, D/o. E. Venkatesh,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 95 Sri E. Raju, D/o. E. Venkatesh,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 96 SRI E. Narsimha, S/o. E. Agaiah,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 97 SRI E. Mallesh, S/o. E. Narsimha,
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 98 Sri E. Shaam, S/o. E. Narsimha
R/o. H.No. 9-2-333, Pensionpura, Langerhouse, Hyderabad.
- 99 All the Petitioners rep. by their registered GPA Holders a.)
Mohammed
Abdul Zakir, S/o. Mohd. Abdul Qayyum
R/o. H.No. 10-3-66/13, Humayun Nagar,
Hyderabad.
- 100 b) B. Ravi yadav, S/o. Late Kistaiah,
R/o. H.No. 9-1-333/F/21, Laxminagar, Langer House, Hyderabad.
- 101 C) D. Balraj Goud, S/o. Late Sattaiah,
R/o. H.No. 6-18, Ghatkesar Village & Mandal, Ranga Reddy
District.
- 102 d) M. Ramesh, S/o. M. yadaiah,
R/o. H.No. 9-1-333/E/7, Laxminagar, Langerhouse, Hyderabad
- 103 e) P. Narender Yadav, S/o. P. Yadaiah,
R/o. H.No. 9-2-136, Nar Hanuman Temple, Langerhouse,
Hyderabad.
- 104 f) C. Dasharath, S/o. Late C. Nagabhushanam,
R/o. H.No. 1-3/3/5/A, Kondapur, Hyderabad.
- 105 g) Mohammed Naseeruddin, S/o. Mohd. Ghousuddin,
R/o. H.No. 9-4-77/A/209, Al-Hasnath Colony, Tolichowki,
Hyderabad.

..... PETITIONER(S)

AND

- 1 Greater Hyderabad Municipal Corporation, Rep. by its Commissioner
and
Special Officer
Tank Bund Road, Hyderabad.
- 2 Hyderabad Metropolitan Development Authority, Rep. by its Vice
Chairman,
Having Office at Greenlands, Hyderabad.
- 3 The District Collector, Ranga Reddy District, Having Office at
Lakdikapool,
Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the 1st and 2nd respondents to issue layout permission and building permission after receiving the permit fees from the petitioners without insisting for getting No Objection Certificate from the 3rd respondent -District Collector in respect of the Property under Sy.No. 19/2 admeasuring Ac. 3.00 gts., situated at Hydershahkote Village, Rajendranagar Mandal, Ranga Reddy District, and to pass

Counsel for the Petitioner:MR.MOHD.MOIN AHMED QUADRI

**Counsel for the Respondent No.: R.RAMACHANDRA REDDY,SC
FOR MCH 1,2,4&6**

The Court made the following :

This writ petition is filed seeking a declaration that the action of the respondent-Commissioner, Greater Hyderabad Municipal Corporation in insisting the petitioners on

producing

“No Objection Certificate” from the District Collector for receiving and considering the petitioners’ application for grant of permission to make constructions in respect of the property under Sy.No.19/2 admeasuring Ac.3.00 guntas situated at Hydershahkote Village, Rajendranagar Mandal, Ranga Reddy District, as illegal and arbitrary.

I have heard the learned counsel for the petitioners as well as

Sri R.Ramachandra Reddy, learned Standing Counsel for the respondent-Corporation.

The question raised in this writ petition is no longer *res integra*. This Court in **Hyderabad Potteries Private Limited v. Collector, Hyderabad District and another**^[1] and **District Collector v. N.Krishna Mohan**^[2], having considered an identical question held that the authority cannot refuse to receive the building permission application on the ground of non-furnishing of “No Objection Certificate” from the Revenue Authorities.

In the light of the ratio laid down in the above decision, the present writ petition is disposed of with a direction to the first respondent to receive the application made by the petitioners seeking permission to construct buildings in accordance with the provisions of the Hyderabad Municipal Corporation Act and the Rules made thereunder without insisting them on producing “No Objection Certificate” from the 3rd respondent-District Collector.

The Writ Petition is accordingly disposed of. No costs.

Date: 30.06.2009
mr**b**

[\[1\]](#) 2001 (3) ALT 200
[\[2\]](#) 2000 (3) ALT 225