

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.34986 OF 2015

DATED:05-11-2015

Between:

Potluri Chakradhara Rao ... Petitioner

And

The State of Telangana

Rep. by its Principal Secretary

Municipal Administration Department

Secretariat Buildings

Hyderabad

and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. G. Simhadri

COUNSEL FOR RESPONDENT NO.1: G.P. for Municipal Administration

(TS)

THE COURT MADE THE FOLLOWING:

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ORDER:

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The grievance of the petitioner in this writ petition is that though the vendors of respondent Nos.4 to 6 are unsuccessful in the entire civil litigation, the said respondents have misled respondent No.2 and obtained building permission and that though a detailed representation was made by the petitioner before respondent No.3, the same has not been considered.

Under Section 450 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act'), if at any time after permission to proceed with any building or work has been given, the Commissioner is satisfied that such permission was granted in consequence of any material misrepresentation or fraudulent statement contained in the notice given or information furnished under Sections 428 and 433, he may cancel such permission and any work done thereunder shall be deemed to have been done without his permission.

The petitioner is therefore permitted to make a comprehensive representation before respondent No.2. On receipt of the representation respondent No.2 shall issue notice to respondent Nos.4 to 6, hold an enquiry, as to whether the acts complained of against respondent Nos.4 to 6 fall within the purview of Section 450 of the Act, by giving an opportunity of hearing to the petitioner and respondent Nos.4 and 6, and pass a detailed order and communicate the same to both parties within three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.44959 of 2015 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

05-11-2015

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