

**The Hon'ble Sri Justice C.V.Nagarjuna Reddy**

**Writ Petition No.40284 of 2015**

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**Date: 11.12.2015**

**Between:**

Mohammed Anwar-UI-Haq

**.. Petitioner**

**and**

The State of Telangana  
rep. by its Prl.Secretary  
Municipal Administration  
& Urban Development Dept.,  
Hyderabad and 2 others

**.. Respondents**

**Counsel for the petitioner:      Mr.Gulam Rabbani**

**Counsel for respondent No.1:    AGP for Municipal  
Administration (TS)**

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**The Court made the following:**

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### **Order:**

This Writ Petition is filed for a Mandamus to declare the purported inaction of respondent Nos.2 and 3, in stopping construction by third parties in a property, in which a Government School is being run, as illegal and arbitrary.

During the hearing, it has come to light that with reference to the same property, which is the subject matter of this Writ Petition, the Government has denied the petitioner's claim for redelivery of its possession and that on the directions issued by this Court, the District Collector has reconsidered his decision and referred the dispute to the competent Civil Court under the Andhra Pradesh Escheats and Bona Vacantia Act, 1974.

Inasmuch as the petitioner's claim of ownership over the property in dispute has not got crystallized, he cannot have any grievance in respect of the constructions that are being, allegedly, carried thereon, that too, on the ground that the same are being carried on without the

permissions of respondent Nos.2 and 3.

In this view of the matter, the Writ Petition is dismissed, however, with the direction to respondent Nos.2 and 3 to examine whether the constructions are being made under proper permission and, if not, to initiate appropriate action under the provisions of the Greater Hyderabad Municipal Corporation Act, 1955.

As a sequel to dismissal of the Writ Petition, WPMP.No.52005 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

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**(C.V.Nagarjuna Reddy, J)**

**Dt: 11<sup>th</sup> December, 2015**  
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