

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA

PRADESH
(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 21310 of 2015

BETWEEN

Rahim Bin Hussain

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard.

2. Petitioner claims title to the property, in question, and questions the permit and sanction plan granted to respondent Nos.8 to 11. Petitioner asserts that respondent Nos.8 to 11 have no lawful title but ignoring the claim of the petitioner, the GHMC has granted building permissions and also in the process of granting further permissions to respondent Nos.8 to 11. Present writ petition is, therefore, filed questioning the action of GHMC authorities, in particular respondent Nos.2 to 7, in granting building permissions on the

aforesaid ground.

3. It is well settled that the municipal authorities grant the sanction plans and the building permits and in the process of satisfaction of *prima facie* title, the municipal authorities cannot adjudicate upon the title dispute among different parties. The grant of sanction and permit, as alleged in the present case, is, therefore, based on *prima facie* title of the applicants i.e., respondent Nos.8 to 11, and if the petitioner questions the said title, petitioner will have to seek appropriate relief by approaching a competent court of law.

With the liberty aforesaid, writ petition is disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 10, 2015
LMV