

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30555 OF 2011

ORDER

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This writ petition is filed for a *writ of mandamus* directing the 1st respondent not to grant any lay out in favour of respondents 2 to 18 in respect of the lands admeasuring Ac.0-05 gts, in Sy.No.218, Ac.2-18 gts., in Sy.No.219, Ac.2-23 gts., in Sy.No.225 and Ac.1-01gts., in Sy.No.280, totally admeasuring Ac.6-07 gts., situated at Narsingi Village, Rajendranagar Mandal, R.R.District, pending disposal of the suit in O.S.No.8 of 2008 on the file of the V Additional District Judge (FTC), R.R. District.

Counter affidavit is filed by the 1st respondent stating that one M/s. Grandbay Estates Developers Limited and others have submitted an application for construction permission of multistoried building in Sy.No.218, 219, 225, 280 and 217 to 225 of Narsingi Village, Rajendranagar Mandal, Ranga Reddy District. The multistoried building committee has technically approved the multistoried building permission on 25.02.2010 and informed the applicant to pay the development charges and accordingly the applicant has paid the same. Even then, the permission was not released due to non fulfilment of the conditions imposed. Thereafter, the said applicant has submitted the revised proposals on 29.08.2011 for residential villas in the same land and the said proposals were under scrutiny. While the said proposals are under scrutiny, the answering respondent has received two letters from the Government requesting to stop all proceedings in respect of the above said lands. Subsequently, the answering respondent has submitted a detailed report to the Government. It is further submitted that further action will be taken in the matter depending on the outcome of the decision of the Government.

Heard the learned counsel for the petitioner and the Sri Y.Rama Rao, learned Standing counsel for the 1st respondent.

The 1st respondent has not released layout permission in favour of the respondents 2 to 18 as the Government has directed the 1st respondent to stop all proceedings in respect of the subject lands. Since petitioners stated that the Court below has granted status-quo orders in O.S.No.8 of 2008, the petitioner may pursue his remedies. At this stage, the unofficial respondents cannot violate the same and in case the status-quo orders are violated, it is always open to the petitioner to take action against the unofficial respondents. As on today, because of the decision taken by the Government, the 1st respondent has not released the layout permission to the subject property. Whenever the construction permission is sought to be granted in favour of the respondents 2 to 8, the objection if any raised by the petitioner are to be considered. More so, mere grant of permission does not confer any title and it is always subject to orders passed in the litigation pending before the Civil Court or other Courts.

With the above observation, the writ petition disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER

REDDY,J

Date: 25.06.2015

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