

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**FRIDAY, THE FOURTH DAY OF SEPTEMBER TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

–
WRIT PETITION No.28578 of 2015

Between:

Nadella Deepthi, W/o. N. Madan Gopal,
Aged 33 years, Occ: Household,
R/o.No.115, West Sqantum Street,
307, Quincy MA 2171, USA & another

.. Petitioners

AND

The State of Telangana,
Rep. by its Secretary,
Municipal Administration & Urban
Development Department,
Secretariat, Hyderabad & 12 others

.. Respondents

The Court made the following:

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ORDER:

The petitioners claim to be the owners of land bearing Plot No.1, admeasuring 600 square yards in Survey No.27, situated at Guttala Begumpet Village, Serilingampally Mandal, Ranga Reddy District. The case of the petitioners is that respondents 3 to 13 have obtained building permission without disclosing the true and correct facts and started illegal construction including the portion of land belonging to the petitioners above mentioned.

2. According to the learned counsel for the petitioners, there was a civil litigation pending and an injunction order is operating in favour of the petitioners and against the party respondents. In spite of the same, without disclosing the true and correct facts, permission was obtained.

3. Having come to know about the illegal permission obtained by respondents 3 to 13, the petitioners filed representation to the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad on 03.08.2015 and the same was acknowledged by the Office of the Commissioner on 04.08.2015. Learned counsel for the petitioner submits that having regard to the controversy involved and since the Commissioner is vested with power under Section 450 of the Greater Hyderabad Municipal Corporation Act, 1955, the Commissioner should act upon the complaint lodged by the

petitioners in the form of a representation, as expeditiously as possible and he should also consider the request of the petitioners for grant of interim suspension of the building permission granted.

4. Having regard to the fact that the complaint in the form of a representation is filed before the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad against grant of building permission in favour of respondents 3 to 13 raising several contentions, I deem it proper to dispose of the writ petition, without expressing any opinion on merits, directing the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad to consider the said complaint/representation, as expeditiously as possible, preferably within a period of six (6) weeks after putting on notice respondents 3 to 13 and affording due opportunity of hearing to respondents 3 to 13 and the petitioners. It is also open to the petitioners to file an application seeking interim stay of operation of the building permission granted and as and when such an application is filed, it is open to the Commissioner to consider the same and pass appropriate orders, pending disposal of the main complaint.

5. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 4th September, 2015

Note: Issue C.C. in three (3) days.

(B/o.)

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 4th September, 2015

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