

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT

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Writ Petition No.7459 of 2009

Date: 31.8.2015

Between:
Sanjeeva Reddy,
Mehdipatnam,
Hyderabad.

Petitioner

And

The Greater Hyderabad Municipal Corporation,
Represented by its Commissioner,
Tank Bund,
Hyderabad and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
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PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

The writ petition was filed in April, 2009 challenging the building permission granted by the 1st respondent to one Sri Nidhi Constructions for construction in Survey No. 278, 279 and 280 of Plot No. 34 and 35, situated at Laxminagar Village, Gudimalkapur, Hyderabad.

According to the petitioner, this land belongs to Sri Bangaru Maisamma Temple. Though the writ petition was filed in 2009, no interim order was passed at any point of time. It is not in dispute that the construction, in pursuance of the impugned building permission, got over long back. According to learned Standing Counsel for respondent Nos. 1 to 3, the construction got over much before filing of the writ petition.

Keeping that in view and considering the nature of prayer made in the writ petition, we are satisfied that no useful purpose would be served by keeping the writ petition pending any further. Hence, we dispose of the writ petition as rendered infructuous.

At this stage, learned counsel for the petitioner seeks liberty to the petitioner to take appropriate remedy for protecting the properties of Sri Bangaru Maisamma Temple, including the land, which is the subject matter of this writ petition.

It is open to the petitioner/temple authorities to take remedies if any available in law for protecting their properties. It is made clear that insofar as rights of the parties are concerned, we have not expressed any opinion on merits of the case.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

31st August, 2015

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