

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.33959 OF 2011

ORDER

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This writ petition is filed for a *writ of mandamus* declaring the action of the 1st respondent in not considering the representation dated 24.11.2011 and legal notice dated 10.12.2010 is in violation of provisions of Sections 428, 429 and 450 of the Hyderabad Municipal Corporation Act, 1955 r/w 4.2(v) and Appendix-F of Municipal Corporation Building Bye Laws, 1981 and for a consequential direction to the 1st respondent to cancel the building permission issued to the respondents 2 and 3.

Learned counsel for the petitioner submits that though petitioners filed representations to the 1st respondent requesting him to cancel the building permission issued in favour of the respondents 2 and 3, no action has been taken.

Smt Pingali Lakshmi, the learned Standing counsel for the 1st respondent Corporation submits that the impugned permissions are valid only for 36 months and the said period has already lapsed, as such the writ petition has become infructuous. She also submits that the petitioners have not filed any documents in support of their case to show that they are having crystallized rights over the said property.

Since the validity of the permission granted in favour of respondents 2 and 3 is already expired, the cause in the writ petition does not survive. However, if the 3rd respondent seeks any further permission from the respondent Corporation, it is open for the petitioners to file objections to the same and the 1st respondent Corporation has to consider the said objections. In case, any fresh representations are filed by the petitioners, only after considering the same, the 1st respondent may pass necessary orders.

Accordingly, the writ petition is 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: 10.06.2015

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