

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

WRIT PETITION NO. 19643 of 2015

Between :

Iyeli Saideep Kumar S/o Thirupathi Rao
R/o H No. 3-3-75, Sawarana Street, Karminagar

.... Petitioner

And

The Commissioner,
Karimnagar municipal corporation
Karimnagar and others

.... Respondents

DATE OF JUDGMENT PRONOUNCED : 17.8.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers may : / No
Be allowed to see the Judgments ? :

2. Whether the copies of judgment may be marked : / No
To Law Reporters/Journals :

3. Whether Their Lordship wish to see the fair : / No
Copy of the Judgment ? :

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 19643 of 2015

ORAL ORDER:

Petitioner claims to be absolute owner and possessor of house site plot adjacent to H No. 3-3-64, Sawarana street, Karimnagar which came to him under a registered sale deed dated 27.8.2014 executed by his father. Aggrieved by the building permission granted on 28.2.2015 in favour of second respondent, petitioner issued notice dated 25.5.2015 calling upon the respondent municipal corporation to cancel the said building permission on the ground that he is owner of the said property and no title vests in second respondent and that second respondent suppressing the true and correct facts obtained building permission.

2. In accordance with provision contained in Section 450 of the Greater Hyderabad Municipal Corporation Act, Commissioner is vested power to cancel the building permission granted, if according to him, such permission was obtained by suppression of facts or misrepresentation.

3. Having regard to the fact that representation in the form of legal notice dated 25.5.2015 is pending consideration with the Commissioner-first respondent, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the first respondent to consider the same in accordance with provision contained in Section 450 of GHMC Act and after affording reasonable opportunity of personal hearing and submission of relevant records to second respondent, pass appropriate orders as warranted by law within six weeks from the date of receipt of copy of this order. It is made clear that parties are free to contest their rival claims and same shall be considered by first respondent uninfluenced by any observations in this writ petition. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:17.8.2015
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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