

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20883 of 2015

Date: 09.07.2015

Between:

U.V.S.Avadhanulu, s/o. late U.Parvateesa Shastry,
Aged about 40 years, r/o.7-4-40/2, Vani Society Street,
Ferozguda, Balanagar Mandal, Ranga Reddy District.

.. Petitioner

AND

Greater Hyderabad Municipal Corporation, rep.by its
Commissioner, Tank Bund, Hyderabad and another.

.. Respondents

The Court made the following:

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ORDER:

Petitioners claim to be the owners of Plot No.17 in Sy.No.8 admeasuring 298 square yards in Ferozguda Village, Balanagar Mandal, Ranga Reddy District.

Petitioners aver that application was submitted on 17.02.2014 to the 1st respondent for permission for construction of stilt plus three floors and accordingly, building permission was granted on 12.03.2014. In terms of the building permission granted and within the specifications of the building permission, petitioners are undertaking construction. Alleging that illegal interference by the 1st respondent, petitioners instituted O.S.No.116 of 2014 on the file of Additional Junior Civil Judge, Miyapur and the learned Court granted interim order on 06.06.2014 in I.A.No.267 of 2014 directing the 1st respondent not to interfere with the peaceful possession and enjoyment over the subject property.

2. While so, petitioners contend that officials of the respondents 1 and 2 are visiting the site and demanding the petitioners to stop construction activities without specifying the reasons and hence, this writ petition.

3. As seen from the averments in the affidavit filed in support of the writ petition, insofar as interference of the 1st respondent is concerned, O.S.No.116 of 2014 was already instituted and interim order was passed in favour of the petitioners. If there is any violation of the said interim orders, it is open to the petitioners to work out their remedies in the pending suit. With reference to the alleged interference by the 2nd respondent, learned standing counsel representing respondent Board states that the area where the plot is now located does not come within the jurisdiction of Secunderabad Cantonment Board and, therefore, the question of interference of Secunderabad Cantonment Board with the alleged construction does not arise.

4. Recording the same, the writ petition is disposed of, leaving it open to the petitioners to work out their remedies against the alleged interference by the 1st respondent. There shall be no order as to costs. Miscellaneous petitions if any pending in the writ petition shall stand closed.

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