

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42536 of 2016

Date: 09.12.2016

Between:

Pasupula Rajesh S/o late P.Narasimha,
Aged about 50 years, occu:Business,
r/o.H.No.2-1-5/1, Upperpally village,
Rajendranagar Mandal, Ranga Reddy District
and others.

.....Petitioners

and

The State of Telangana, rep.by its Principal
Secretary, Municipal Administration Department,
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

This writ petition is filed praying to grant the following relief:

“to issue an appropriate writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the Respondent No.2 and 3 in implementing the orders passed in IA No.653/2016 passed by the Hon'ble XIV Additional District and Sessions Judge, Rang Reddy to which the Respondent No.3 is also a party and further to direct Respondent No.2 & 3, to initiate appropriate proceedings against the Respondent No.4 to 6 as contemplated under the provisions of GHMC Act in respect of Plot Nos.50 and 110 in Sy.Nos.111 and 112 situated at Hyderguda Village, Rajendranagar Mandal, Ranga Reddy District.

2. Reading of the contents of affidavit filed in support of the writ petition would disclose that there is *inter se* dispute between the petitioners and the respondents 4 to 6. Petitioners instituted O.S.No.963 of 2016, which is pending on the file of XIV Additional District and Sessions Judge, Ranga Reddy District and obtained injunction order in I.A.No.653 of 2016. Petitioners allege that in spite of injunction order granted not to alter the nature of the suit schedule property, respondents 4 to 6 started undertaking construction and Municipal Corporation is not taking any action.

3. Learned standing counsel, on instructions, submits that having noticed illegal construction, action was already initiated against the persons, who are undertaking illegal construction.

4. In view of the same, no further orders, as prayed for, need be granted at this stage. However, petitioner is granted liberty to avail remedy as available in law in the pending suit. Writ petition is dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 09.12.2016

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