

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.3138 OF 2015

DATED : 08.12.2016

Between :

Mr.Shabbir T.Chass S/o.Late Taher A. Chass,
Aged about 57 yrs, Occu : Business,
R/o.Flat No.201, 2nd floor,
Studio Sycamore, Road No.4,
Banjara Hills, Hyderabad & another.

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Petitioners

And

The Greater Hyderabad Municipal Corporation,
Rep., by its Commissioner, having its office
At Tank Bund, Basheerbagh, Hyderabad & another.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.3138 OF 2015****ORDER :**

Petitioners invoked jurisdiction of this Court alleging illegal interference by the respondent municipal corporation in the property of petitioners while undertaking construction of the building.

2. Heard learned counsel for petitioners and learned standing counsel for respondent corporation.

3. Learned counsel for petitioners submitted that building permission was granted and in terms of the said building permission, petitioners have undertaken construction and since respondents were interfering with the construction activity, petitioners were compelled to invoke the jurisdiction of this Court.

4. Learned standing counsel does not dispute the fact that building permission was granted. On instructions, he submitted that no coercive action was initiated against the petitioners.

5. Having regard to the said submission, Writ Petition is disposed of directing the respondent corporation not to interfere with the possession and enjoyment of the petitioners property. If the respondent municipal corporation is of the opinion that certain illegal constructions are made or petitioners have deviated from the building permission granted, it shall follow due procedure as mandated by Greater Hyderabad Municipal Corporation Act, before taking any coercive action. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

8th December, 2016
Rds

P.NAVEEN RAO,J

