

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 3179 of 2016

Date :29.11.2016

Between :

Mr Kuresh T chass S/o late Taher T Chass
R/o H No. 12-A, WElington Road, AOC Centre
West Marredpally
Secunderabad

Petitioner

And

The Greater Hyderabad Municipal Corporation
Rep by its Commissioner, having its office at Tank Bund
Basheerbag, Hyderabad and another

Respondents

The Court made the following:



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ORAL ORDER:

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

Heard learned counsel for petitioner and learned standing counsel for respondent corporation.

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

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 petitioner.

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 petitioner's property. If the respondent municipal corporation is of the opinion that certain illegal construction is made or petitioner has deviated from the building permission granted, it shall follow due procedure as mandated by Greater Hyderabad Municipal Corporation Act, before taking any coercive action. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:29.11.2016
TVK

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