

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.9831 of 2012

ORDER:

This Writ Petition was filed challenging the inaction of respondent Nos.1 and 2 in taking action against the unauthorized construction made by respondent No.3 in respect of premises bearing No.22-4-346/1 situated at Alijah Kotla, Hyderabad, pursuant to the notice issued by respondent Nos.1 and 2 on 29.12.2010 in spite of the representations of the petitioners.

It came to light that pursuant to the representations of the petitioners another notice was issued on 08.02.2013 to respondent No.3, challenging which respondent No.3 filed O.S.No.432 of 2013, but when the said suit was dismissed, an appeal was preferred before the appellate Court and the same is pending. In the mean while, learned Counsel for respondent No.3 submits that the building was constructed in accordance with the sanctioned plan and completed even before filing the civil suit and no cause of action survives as on today.

However, in view of the notice dated 08.02.2013, which is subsequent to the filing of the Writ Petition, no further orders can be passed in the present Writ Petition, except stating that the petitioners are at liberty to take appropriate proceedings in accordance with law, if they are so advised.

The Writ Petition is, accordingly, closed. The miscellaneous petitions pending, if any, shall also stand closed. There shall be no order as to costs.

01.11.2016
vs

(A.RAMALINGESWARA RAO, J)

