

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38129 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents in interfering with the petitioners' building construction activity in Plot Nos.10, 11, 20, 21, 43, 68, 77, 85, 92 and 93 in Survey Nos.61, 62 and 65, situated at Bairagiguda Village, Peerancheruvu Gram Panchayat, Rajendranagar Mandal, Ranga Reddy District, as illegal and arbitrary.

Heard learned counsel for the petitioners, Sri Raghavender Reddy, learned counsel representing on behalf of Sri B. Narayan Reddy, learned Assistant Solicitor General representing respondent Nos.1, 3 to 5 and the learned Government Pleader for Municipal Administration for the 2nd respondent and perused the material available on record.

The case of the petitioners is that the petitioners are absolute owners and possessors of the above subject land, which they got through registered Sale Deed vide Document No.4937 of 2015, dated 15.06.2015, and that the petitioners have obtained necessary permission for the layout from Gram Panchayat, Peerancheruvu, for construction. The main grievance of the petitioners is that the 5th respondent is interfering with the construction activity on the subject land of the petitioners without there being any reason.

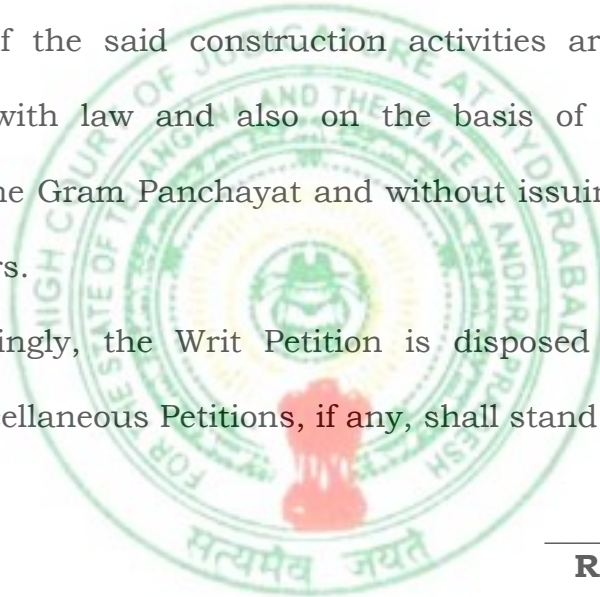
Learned counsel for the petitioners contended that the petitioners are constructing the building in the subject land as per the sanction issued by the municipal authorities, but the 5th respondent is interfering with the construction activity of the

petitioners and preventing them from doing further construction of the said building.

On perusal of the material available on record, except the averments made by the petitioners in the accompanying affidavit of the writ petition, there is nothing on record to show that the 5th respondent is interfering with the construction activity of the petitioners.

Considering the facts and circumstances of the case and the submissions of both the learned counsel, the 5th respondent is directed not to interfere in any of the construction activities of the petitioners, if the said construction activities are proceeded in accordance with law and also on the basis of the permission granted by the Gram Panchayat and without issuing any notice to the petitioners.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.



RAJA ELANGO,J

Date: 14th November, 2016

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