

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41499 of 2016

Date: 30.11.2016

Between:

M/s Swapna Surya Developers, having its registered Office at Flat No.102, Plot No.575, 6th Phase, KPHB Colony, Kukatpally, Hyderabad, rep.by its Managing Partner, Sri N.Srinivasa Rao, s/o Nageshwara Rao, Aged about 43 years, Occu:Business, r/o. Plot No.823, Bhagath Singh Nagar, Vasanth Nagar, Kukatpally, Hyderabad.

.....Petitioner

And

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

.....Respondents



The Court made the following:

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ORDER:

Heard Sri K.Ravinder Reddy, learned counsel for petitioner, learned Government Poleader for Revenue (TG) for respondent Nos.1, 2 and 7, and Sri Sampath Prabhakar Reddy, learned standing counsel for GHMC for respondents 3 to 6.

2. Petitioner alleges that he has valid building permission and even though he is undertaking construction of building strictly in accordance with the building permission granted, the local officials of the Municipal Corporation as well as Revenue authorities are interfering and obstructing the construction work and causing undue hardship and suffering to the petitioner.

3. It is not stated as to why officials of the Municipal Corporation and Revenue Department would obstruct construction work if valid building permission is granted to him and construction is being taken up strictly in accordance with the building permission granted.

4. As seen from the averments made in the affidavit filed in support of the writ petition, no such complaint is filed before the competent authority alleging such illegal interference by the lower officials of Municipal Corporation or Revenue Department and straight away rushed to this Court. There is no material on record to show alleged interference. This Court cannot exercise extraordinary jurisdiction under Article 226 of the Constitution of India to grant relief to petitioner straight away. Petitioner ought to have complained to the competent authority and ventilated his

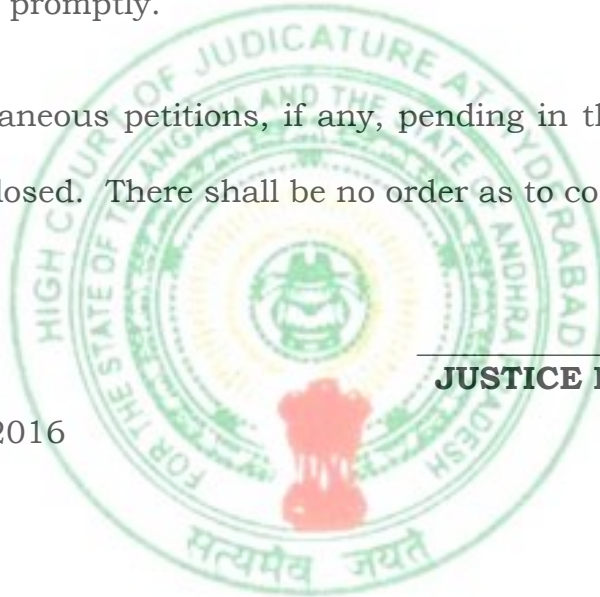
grievances. This Court can exercise its extraordinary jurisdiction only in case, where, in spite of making such complaint, no action is taken against illegal interference in the construction and there is deliberate inaction.

5. Thus, while granting liberty to the petitioner to complain to the Zonal Commissioner, West Zone, GHMC, Hyderabad, as well as Collector, Medchal District, on the alleged interference, Writ Petition is dismissed. It is needless to observe that as and when such complaint is made, the same shall be acted upon with due diligence and promptly.

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

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