

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.433 OF 2016

DATED:07-01-2016

Between:

Yanduru Venkata Sri Rama Sudhir
and another ... Petitioners

And

The State of Andhra Pradesh
Department of Municipal Administration
and Urban Development
Rep by its Secretary
Secretariat Building
Hyderabad
and others ... Respondents

... Respondents

COUNSEL FOR THE PETITIONERS: Mr.Y. Subrahmanyam

COUNSEL FOR RESPONDENT NO.1: G.P. for Municipal Administration
(AP)

COUNSEL FOR RESPONDENT NO.4: A.G.P. for Home (AP)

THE COURT MADE THE FOLLOWING:

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ORDER:

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Feeling aggrieved by grant of building permission by respondent No.2 in favour of respondent Nos.5 to 7, the petitioners filed this writ petition.

On the petitioners' own showing, O.S. No.68 of 2015 filed by them in the Court of Senior Civil Judge, Nuzvid, for partition, is pending. So far, rights of the petitioners have not been crystalized. In the absence of any order passed by a competent Court restraining respondent No.2 from granting building permission, granting such permission cannot be termed as illegal. However, the petitioners are entitled to assert their right over the suit schedule property and also seek an appropriate interlocutory relief to protect their interests in the pending suit against respondent Nos.5 to 7.

Subject to the liberty given to the petitioners, as above, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. No.540 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

07-01-2016

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