

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.38653 of 2016

Date: 22.11.2016

Between:

Smt. Syed Shamshad Begum, W/o Syed Ameer Basha,
Aged 65 years, Occu: Household, R/o 11-238,
Gadda Street, Bedvel Road, Mydukur, Cuddapah
YSR District, Andhra Pradesh.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Principal
Secretary, Director of Municipal Administration
Department, Sri Krishna Enclave, Annapurna
Nagar, 5th Lane, 5/7 Inner Ring Road, Gorantla,
Guntur, Andhra Pradesh and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner alleges that wife of the third respondent is undertaking construction of a building without obtaining building permission. Such action is illegal and even though complaints are filed Municipal authorities are not taking any action.

2. Averments made in the affidavit filed in support of the writ petition would show that there were some rival claims to the subject property and the litigation is pending on the same subject property. In view of the prayers sought and instructions obtained by the learned standing counsel, I am not inclined to go into the issue of rival claims of ownership of the subject property.

3. Learned standing counsel submits that the wife of 3rd respondent had obtained building permission on 17.08.2016 vide building permission No.1164/0015/B/HYD/BR/2016, dated 17.08.2016. Photocopy of the same is also furnished to the Court.

4. Since building permission was already granted, the allegation leveled against the 3rd respondent that illegal construction is being taken up is not valid. Writ petition is liable to be dismissed and is accordingly dismissed. However, it is made clear that this order do not come in the way of the petitioner prosecuting her other remedies.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date: 22.11.2016
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