

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8849 of 2017

ORDER:

Petitioners challenge notice dated 07.03.2017 directing them to furnish ownership documents and sanctioned plan, if any, with respect to their respective premises situated opposite to S.D.A. Paradise, Karwan, Kulsumpura, Hyderabad.

Petitioners claim to be owners and possessors of the property admeasuring Ac.0.13 gts. and Ac.2.28 gts. in Sy.Nos.4 and 5 respectively. Petitioners assert that, various litigations are pending before this Court as well as Civil Court and, in all the cases, their rights have been protected. The petitioners assert that, while they are making only repairs to the compound wall, respondent – authorities, without issuing any notice, and without following due process of law, are interfering with their construction.

Learned counsel for the petitioners fairly submits that no sanctioned plan was obtained by the petitioners for making construction.

Sri N.Ashok Kumar, learned Standing Counsel for respondent Nos.2 and 3, strongly opposes the Writ Petition and would submit that, what all the respondent - authorities had sought only submission of documents, both in relation to title and sanctioned plan, if any. He would further assert that, as it is admitted by the petitioners that no sanction was

obtained by the petitioners, no construction, whatsoever, can be made.

Considering the respective submissions and, in the facts and circumstances of the case, as it is admitted by the petitioners that no permission was obtained for making construction, respondents are given liberty to take appropriate action, if the petitioners are proceeding with construction. As the petitioners are only required to submit documents, liberty is given to them to submit a detailed explanation, in the place of explanation submitted on 07.03.2017, and satisfy the authorities with respect to their right, title over the property and proceed with construction only obtaining construction permission.

Subject to the above, the Writ Petition stands disposed of.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 14.03.2017
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