

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.5888 OF 2017

ORDER:

The case of the petitioner is that it has entered into a development agreement-cum-General Power of Attorney with the owners of the property i.e. one K.Ravinder Reddy, Kolanu Prashanth Reddy and S.Maheshwar Reddy, for developing the property admeasuring 1476 Sq.Yards, bearing Plot Nos.54 and 55 in Survey No.277, and 1182 Sq.yards, bearing Plot Nos.43 and 44 in Survey No.272 of Nizampet Village and Gram Panchayat, Bachupally Mandal, Ranga Reddy District vide registered document bearing No.12264 of 2016 dated 03.11.2016 and 16648 of 2016, dated 22.11.2016. The aforesaid persons are the original owners of the said property, whose names were reflected in the Revenue Records and Title Deeds were issued on their names. They have also obtained construction permissions from the 5th respondent vide permissions bearing No.CP/179/2007-08, dated 05.11.2007 and CP/180/2007-08, dated 12.11.2007. Both the permissions were also renewed subsequently and are subsisting as on today. While so, the respondent officials are illegally interfering with the construction activity of the petitioner, without issuing any notice and observing the principles of natural justice and also threatening the petitioner to demolish the structures raised by it. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Sri V.Narasimha Goud, learned Standing Counsel for the 4th respondent and Sri G.Narender Reddy, learned Standing Counsel for the 5th respondent submits that petitioner was issued notice for deviations in the construction made by it.

Learned counsel for the petitioner submits that though notices are placed before this Court, till now the same are not served on the petitioner and states that the petitioner will file explanation to the said notices.

In view of the aforesaid facts and circumstances the writ petition is disposed of granting liberty to the petitioner to file explanation to the notice dated 05.12.2016 issued by the 5th respondent and notice dated 13.02.2012 issued by the 4th respondent, within a period of two weeks from today. On such submission of the explanation by the petitioner, it is open for the 4th and 5th respondents to pass final orders, within two weeks from the date of receipt of explanation from the petitioner, after affording opportunity of hearing to the petitioner. Till passing of final orders by the respondents, *status quo* obtaining as on today shall be maintained. If the respondents 4 and 5 failed to pass any orders within two weeks after filing explanation by the petitioners, it is open for

the petitioner to proceed with construction, in accordance with the sanctioned plan. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending, shall stand closed.

A.RAJASHEKER REDDY, J

22.02.2017
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