

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22394 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to direct respondents 2 & 3 not to issue any building permission in respect of land in Survey No. 2 (Peradu) till the issue is resolved by the competent civil Court.

2. Heard learned counsel for both sides and perused the material available on record. With the consent of learned counsel for both sides, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the petitioner is the successor of the property of his late grandmother Smt. Mothi Bhai and the lower Court granted succession to the petitioner and others along with perpetual injunction against them vide O.S.No.1575 of 2014. It is further submitted that Suresh Babu, Penta Reddy, Prabhakar Reddy, Ramesh Yadav and Sardar Joga Singh, claimed the succession to the petitioner's grandmother Mothi Bhai and tried to claim and grab on false manipulated documents. It is further submitted that on 13.04.2016, this Court rejected the claims of the said persons in C.R.P.Nso.3197 & 3225 of 2015 and directed them to approach to the civil Court, but the said persons instead of approaching the civil Court for succession, have claimed cancellation of the succession of the petitioner and that the said persons are only trying to grab the property of the petitioner with false and fabricated documents. Aggrieved by the

same, the petitioner filed the present writ petition with a prayer not to issue any building permission in respect of land in Survey No.2 (Peradu) till the issue is resolved by the competent civil Court.

4. After arguing for some time, learned counsel for the petitioner confined his argument to the extent of disposing the writ petition with a direction to the Chief City Planner, Town Planning Section, Greater Hyderabad Municipal Corporation, Hyderabad (3rd respondent) to consider the representation, dated 23.06.2016, said to have been submitted by the petitioner and pass appropriate orders.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 3rd respondent to consider the representation of the petitioner, dated 23.06.2016, pass appropriate orders, as warranted by law, as expeditiously as possible, and communicate the decision to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 11th July, 2017

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