

HON' BLE SRI JUSTICE S. V. BHATT

Writ Petition No.6045 of 2010

ORDER:

Heard Mr. S. Tulasi Das for petitioners and Mr. Vijay Kumar Heroor for 3rd respondent.

2. The petitioners pray for *mandamus* declaring the inaction of 1st respondent in preventing the unauthorised construction of compound wall over an extent of 1500 sq. yards in Sy.No.24 of Nagole Village, Uppal Mandal, Ranga Reddy District, as contrary to the Municipal Act, arbitrary and violative of orders of this court in WP No.24731 of 2008 dated 03.03.2010.

3. As could be appreciated, the writ prayer is limited against inaction of respondents 1 and 2. This court on 18.03.2010 directed the 1st respondent to ensure that 3rd respondent does not raise construction over the subject land in an extent of 1500 sq. yards in Sy.No.24 of Nagole Village, Uppal Mandal, Rangareddy District. The 3rd respondent filed petition to vacate the interim order dated 18.03.2010 and in the counter-affidavit filed by 3rd respondent, it is averred that the 3rd respondent purchased an extent of 2120 sq. meters vide document Nos.2272/ 1985 and 2311/ 1985 dated 30.04.1985 from Kandidkanti Kamamma. The 3rd respondent relies upon the order of this court in WA No.884 of 2011 opposing the writ prayer.

4. To the pointed query of this court, whether the 3rd respondent has permission from the Municipal Corporation, learned counsel Mr. Vijay Kumar Haroor, submits that 3rd respondent undertakes not to proceed with the construction, unless the permission is granted by the Municipal

Corporation, Hyderabad. The statement is placed on record. Hence the grievance of petitioners need not be examined or direction issued to respondents.

5. The writ petition is, accordingly, disposed of. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 04.08.2017
BSS

S.V.BHATT, J



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