

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.15506 OF 2017

ORDER:

1. This writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the 2nd respondent in according building permission for construction of houses in Sy.Nos.903(old), plot No.A part & B part, admeasuring 641.49 sq.yds. situated at Mukarampura, Karimnagar Town & District, which is owned and purchased by the petitioner, in spite of his representation dated 10.4.2017 bringing to its notice that the subject-land is in dispute covered by O.S.No.92 of 2014 pending on the file of V Additional District Judge, Karimnagar, as arbitrary and illegal and consequently, to direct the 2nd respondent not to accord building permission for construction of house in the subject-land pending determination of dispute in O.S.No.92 of 2014.

2. The case of the petitioner is as follows:

The petitioner is the absolute owner of the subject-land having purchased the same from one K.Satyanarayana Rao vide document No.2319 of 2006 of S.R.O., Karimnagar. However, his vendor created a Special Power of Attorney as if the petitioner appointed him to deal with the said property. In that regard, the petitioner filed a suit and obtained interim injunction. Now, it is the grievance of the petitioner that despite of pendency of the suit, the 2nd respondent is contemplating to grant building permission to the defendants in the said suit in spite of his representation dated 10.04.2017.

3. Heard and perused the material available on record.

4. Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the writ petition is

disposed of directing the 2nd respondent to consider the representation of the petitioner dated 10.04.2017 and pass appropriate orders in accordance with law. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 27th June, 2017
Tsr.



