THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.42748 of 2016 and 2582 of 2017

COMMON ORDER:

Heard learned counsel for the petitioners.

2. Since these two Writ Petitions are interconnected, they are being disposed of by this common order.

3. W.P.No.42748 of 2016 was filed by the petitioner challenging the action of respondents 2 and 3 in allowing the unauthorized constructions made by respondents 4 and 5, without any sanctioned plan and without maintaining any set backs in respect of land bearing Nos.2-10 and 2-110 of Pahadi Shareef Village, Jalpally Village, Ranga Reddy District. The wife of the 4th respondent in W.P.No.42748 of 2016 filed W.P.No.2582 of 2017 challenging the action of the 2nd respondent in not taking action for demolishing the illegal constructions made by the 3rd respondent, who is petitioner in W.P.No.42748 of 2016, in property bearing No.2-100, situated in the same area.

4. It is stated by both the counsel that the petitioners are closely related to each other. It is also submitted by learned counsel for the parties that O.S.No.19 of 2017 filed by the petitioners in W.P.No.42748 of 2016 in respect of Gift Deed claimed by the petitioner in W.P.No.2582 of 2017 is pending on the file of II Additional Junior Civil Judge, Ranga Reddy District at L.B.Nagar. The petitioner in W.P.No.2582 of 2017 filed O.S.No.78 of 2016 on the file of II Additional Junior Civil Judge, Ranga Reddy District at L.B.Nagar, seeking declaration of title and perpetual

injunction in respect of property bearing No.2-102. The said suits relate to title to the properties, whereas the grievance in the present Writ Petitions relates to unauthorized constructions. Though both parties claimed that they are having due permissions, the matter has to be enquired by the concerned municipal authorities.

5. In view of the same, these two Writ Petitions are disposed of directing the 2nd respondent to call for permissions possessed by the petitioners in the Writ Petitions, examine the same and take necessary action in accordance with law, if there are any unauthorized constructions in the properties claimed by the petitioners. The said exercise shall be completed within a period of three (3) months from the date of receipt of a copy of this order. The rest of rights of the petitioners will be subject to result of the suit.

Miscellaneous petitions, if any, pending in these two Writ Petitions shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

APRIL 30, 2018
YVL

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते

WRIT PETITION Nos.42748 of 2016 and 2582 of 2017

Date:30.04.2018

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