

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40395 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondent-authorities in issuing building permit order dated 09.09.2018, bearing permit No.1/C20/14638/2018, in favour of the unofficial respondents for construction in Survey No.28, admeasuring 3388 square yards, situated at Gachibowli, Hyderabad, inspite of objections raised by the petitioner through written representation dated 03.05.2018, as illegal and arbitrary.

2) Learned counsel for the petitioner submits that inspite of making objections to the permission granted in favour of unofficial respondents, the authorities of the Municipal Corporation did not consider the same and granted building permission.

3) Sri Sampath Prabhakar, learned Standing Counsel for GHMC would submit that though the objections were raised prior to granting permission, but the documents which are relied upon, came to be presented after granting building permission in respect of the subject property. He now pleads that these objections may be directed to be dealt with in accordance with law.

4) Section 450 of the GHMC Act prescribes power to the Commissioner to cancel permission if there is material misrepresentation by the applicant.

5) In view of Section 450 of the Act, the Commissioner concerned shall examine the material filed by both the parties and in the event if he is of the opinion that some *prima facie* material is available to withdraw the permission, issue notice to the unofficial respondents and thereafter deal with the same, in accordance with law, after hearing all concerned.

6) With the above direction, the writ petition is disposed of.

7) Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

09.11.2018
vhh



JUSTICE C. PRAVEEN KUMAR