

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.2188 of 2019

ORDER

Heard learned counsel for the petitioner and Sri N. Ashok Kumar, learned Standing Counsel for respondent Nos.1 and 2.

2. The petitioner challenges the building permission granted in favour of respondents 3 to 6 vide proceedings dated 05.01.2018, by the 1st respondent, with respect to the land in Sy.Nos.45,46A and 47A situated at Upperpally Village, Rajendranagar Mandal, Rangareddy District.

3. The case of the petitioner is that civil disputes are pending between the petitioner and the vendors of respondents 3 to 6 and that during pendency of the civil dispute as well as W.P.No.3581 of 2016 before this Court, respondents 3 to 6, in collusion with the officials of respondents 1 and 2, had obtained permission. Though the petitioner addressed letters on 20.02.2015, 02.04.2015, 13.10.2017 and 19.07.2018 to the Commissioner, GHMC, apprehending that respondents 3 to 6 were approaching the respondent authorities for developing the land in the subject property, the 1st respondent, without issuing notice to him, granted permission.

4. Learned Standing Counsel for respondents 1 and 2 submits that there is no system of maintaining a caveat or a record with

respect to each and every property in anticipation that there may be any application raising objections either for developing the land or building and it is not physically possible to consider those applications as large number of properties and citizens are involved.

5. In view of the aforesaid submissions, non-consideration of the letters alleged to have been submitted by the petitioner before granting permission by the 1st respondent, cannot be found fault with. However, in view of the allegations made by the petitioner, interest of justice would be served if respondents 1 and 2 are directed to take into consideration the objections raised by the petitioner in his letter dated 19.07.2018. Petitioner is at liberty to place all the material papers before the respondent authorities so as to enable them to make assessment with respect to the allegation of the petitioner. It is needless to mention that as building permission was already granted to respondents 3 to 6 to develop the property, it is the duty of the respondents to issue notice and follow due process of law before passing any orders in favour of respondents 3 to 6.

6. With the above observation, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

CHALLA KODANDA RAM, J

8th February, 2019

sj