

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4936 of 2019

DATED:18-03-2019

Between :

M.Kaushik Reddy S/o.Sri M.M.Reddy,
Occ: Managing Director of KSR Industries,
Aged.30 years, R/o.2-2-1118/A/1 Tilaknagar,
Hyderabad and another.

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Petitioner

And

State of Telangana, represented by its Principal
Secretary, Industries, having its office at Secretariat,
Hyderabad and others.

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WP.No.4936 of 2019

ORDER :

Heard learned counsel for petitioners and learned Government Pleader for respondent No.1 and learned Standing Counsel for respondent Nos 2 and 3.

02. The limited grievance of petitioners in this writ petition is against not granting building permission as applied by them to the respondent-Corporation. By the proceedings dated 15-02-2019, petitioners were informed that as O.S.No.155 of 2017 is pending in the Court of II Additional Judge, Ranga Reddy District at L.B.Nagar on the *interse* dispute between the 1st petitioner and plaintiff in the suit, building permission cannot be granted.

03. As fairly submitted by learned Standing Counsel appearing for respondent-Corporation, there is no injunction granted by the competent Court restraining grant of building permission and to undertake construction.

04. The respondent-Corporation by letter dated 15-02-2019 rejected the request of the petitioner for grant of building permission only on the ground that suit is pending. The same is illegal. Unless there is restraint imposed by the competent Court, mere pendency of the suit is no ground to reject processing the application for building permission, if such application complies all the statutory requirements.

05. Having regard to the above, the respondent-Corporation is directed to process the said building permission application subject to fulfilment of all other requirements without raising the

same objection. However, this order does not prejudice the rival claims and in seeking appropriate directions from the competent Court, where the suit is pending.

06. Accordingly, this writ petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

P.NAVEEN RAO,J

18-03-2019
Nvl

