

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7816 of 2019

ORDER:

In this writ petition, challenge is to the Building Permit Order dated 11.03.2019 issued by respondent No.2 in favour of respondent No.4 thereby permitting construction activity in the land admeasuring 898.34 square meters in Survey No.4 of Khajaguda Village, Serilingampally Mandal, Ranga Reddy District.

2. It is the case of the petitioner that he is the owner of Villa No.6 in Lalitha Bloomfield, a Gated Community situated in Survey No.4 of Khajaguda Village, Serilingampally Mandal, Ranga Reddy District. The 3rd respondent, at the time of approval of layout, had gifted the subject land in favour of the 1st respondent-Greater Hyderabad Municipal Corporation (GHMC) through a Gift Settlement Deed dated 05.07.2006 for the purpose of establishing a park. However, the 3rd respondent, in connivance with respondents 1 and 2, clandestinely sold away the subject land in favour of the 4th respondent by way of a registered sale deed, and the 2nd respondent has issued the impugned Building Permit in favour of the 4th respondent basing on which he is proceeding with the construction activity in the subject land. Pointing out that granting of such permission is impermissible, the petitioner submitted objections on 29.11.2016 and also on 28.02.2019. However, the respondents have not considered his objections.

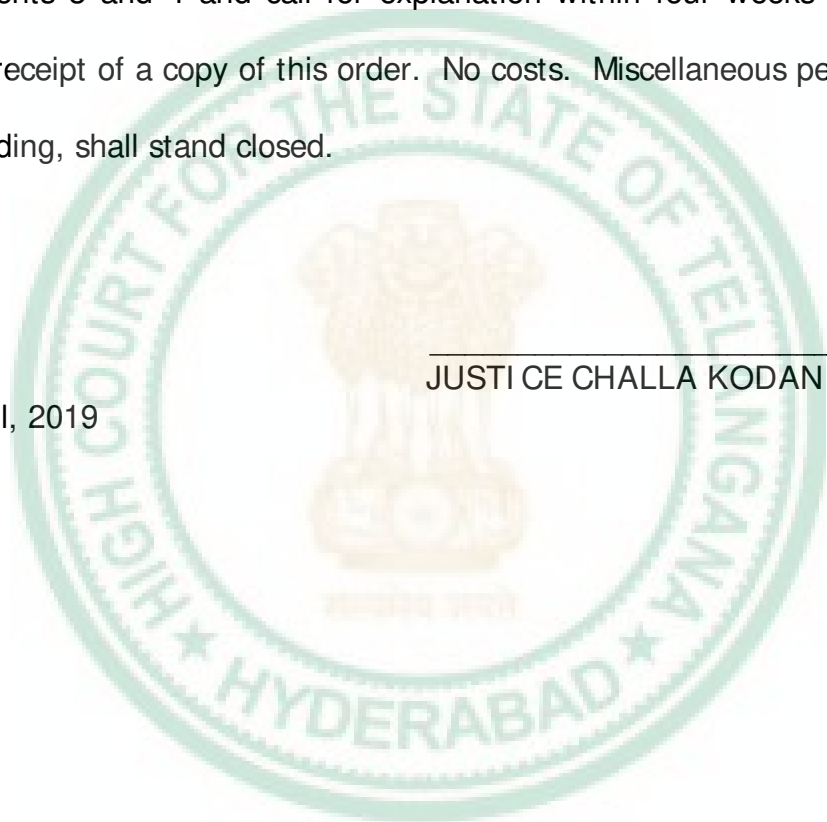
3. At the hearing, learned counsel for the petitioner submits that the petitioner would be satisfied if his objections are considered by respondents 1 and 2.

4. Having regard to the submission of the learned counsel for the petitioner, and there being no objection on the part of the learned counsel for respondents 1 and 2, without expressing any opinion with respect to the allegation of the petitioner, the writ petition is disposed of with a direction to the respondent authorities to consider the representation of the petitioner, by following due process. Before any action is proposed in the subject matter, the respondent authorities are bound to issue notice to respondents 3 and 4 and call for explanation within four weeks from the date of receipt of a copy of this order. No costs. Miscellaneous petitions, if any pending, shall stand closed.

18th April, 2019

KSM

JUSTICE CHALLA KODANDA RAM



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