

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.11857 OF 2019

Date: 26.6.2019

Between:

Chappidi Venkateshwar Rao & others.

.. Petitioners

And

Greater Hyderabad Municipal Corporation,
represented by its Commissioner,
Hyderabad and others.

.. Respondents

The Court made the following:



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ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Respondents and perused the material available on record.

2. Petitioners claimed to be owners and possessors of land to an extent of Ac.0-16 guntas in Survey No.29 situated at Guttala Begumpet village, Serilingampally mandal, Ranga Reddy district acquired the same through registered sale deed bearing No.1730 of 2012.

3. This writ petition is filed questioning the action on the part of the respondents in not acting on the complaint petition filed by the petitioner on 12.5.2019 to cancel the building permission granted in favour of respondents 5 and 6. In the said complaint, it is alleged that a Status quo order was granted by the District Judge, Ranga Reddy district in I.A.No.318 of 2014 in O.S.No.115 of 2014 and without disclosing the said fact, building permission was obtained, which amounts to suppression of true and correct fact and therefore, Section 450 of HMC Act, 1955 should be invoked.

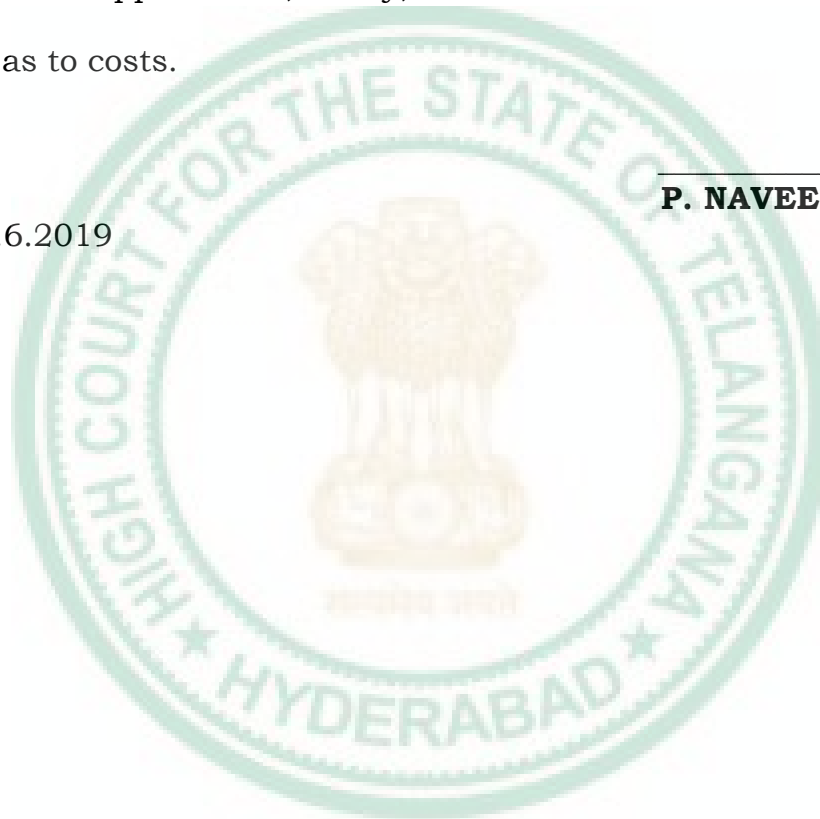
4. A copy of the Status quo order passed by the trial Court is filed as annexure to the writ petition. The trial Court directed that interim Status quo should be maintained with regard to title of the suit property till 12.6.2014 and the said order was extended subsequently. Thus, there is no stay for development of property and for obtaining building permission.

5. In view of the same, it cannot be said that there is a misrepresentation of true and correct fact attracting provisions of Section 450 of HMC Act. It is for the petitioners to file appropriate application before the Court where the suit is pending and work out their remedies as available under law. Since the provisions of Section 450 of HMC Act are not attracted, the relief as sought for in the writ petition cannot be granted.

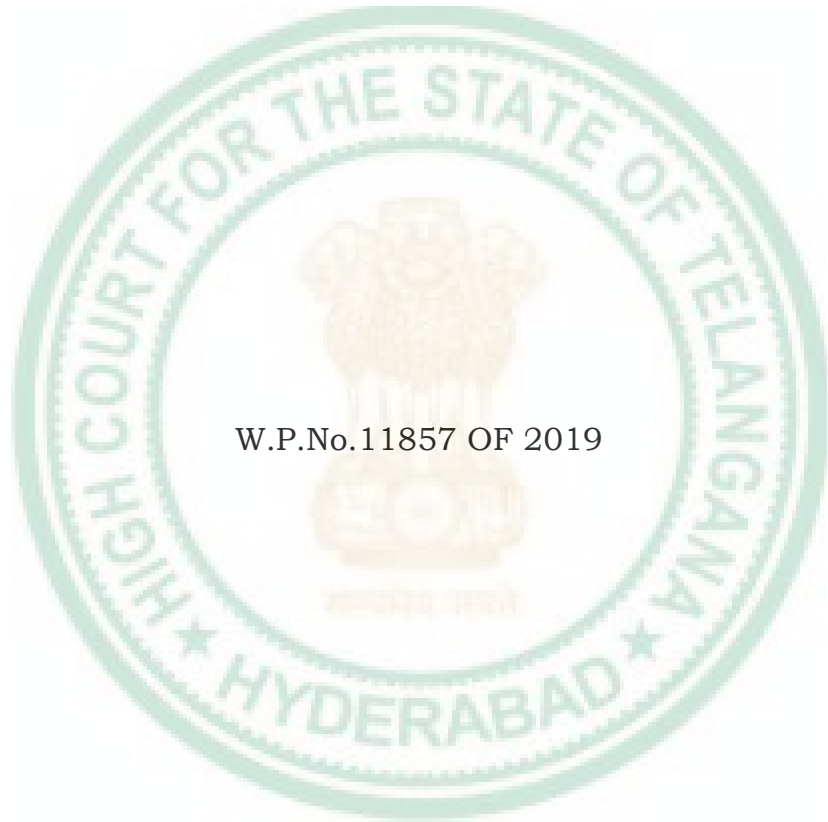
6. Therefore, the writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date: 26.6.2019
DA

P. NAVEEN RAO, J



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