

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.15378 OF 2019**

**Date: 24.07.2019**

Between:

Sri Gaddam Vilas Reddy S/o.Raji Reddy,  
Aged about 54 yrs, R/o.H.No.8-3-243/C,  
Bagathnagar, Karimnagar.

.....Petitioner

And

The State of Telangana,  
rep. by Prl. Secretary,  
Municipal Administration &  
Urban Development Department,  
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.15378 OF 2019**

**ORDER:**

Heard learned counsel for petitioner, learned Government Pleader for Revenue for respondent No.1 and Sri N. Praveen Kumar, learned Standing counsel for respondent No.2.

2. Petitioner claims to be the owner and in possession of land to an extent of 363 Square yards in Sy.No.2371/B, Gandhinagar, Huzurabad Town, having purchased the same in the year 2013. Petitioner now alleges that the 3<sup>rd</sup> respondent has obtained building permission in the year 2010 without disclosing his ownership claim and sought to construct building on 550 Square yards and constructed the building. He has also obtained another building permission in the year 2015 and constructed building. Alleging that the 3<sup>rd</sup> respondent is in illegal occupation and made illegal construction by suppressing true facts on ownership claim, and requesting the Municipal Commissioner, to take action against the 3<sup>rd</sup> respondent, a representation was made on 14.06.2019. In substance, petitioner prays the Commissioner to cancel the building permission granted on 24.11.2010 and to dismantle the illegal construction already made and to hand over possession to the petitioner.

3. Apparently, petitioner filed O.S.No.64 of 2015 in Civil Court, Huzurabad, praying to grant injunction against the 3<sup>rd</sup> respondent. These facts would disclose that apparently, there is dispute with regard to building permission and construction of building. If petitioner claims that he is the owner of property and that on his

property, some illegal encroachment is made and illegal construction is made by the 3<sup>rd</sup> respondent, petitioner has to work out his remedies as available in law. The Municipality cannot be expected to go into the title dispute, declare the petitioner as owner, demolish the structures already made and hand over possession to the petitioner. Thus, the relief sought in the representation by the petitioner cannot be looked into by the respondent- Municipality. Therefore, the direction as sought for cannot be granted.

4. Accordingly, the Writ Petition is dismissed, leaving it open to the petitioner to work out his remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

**P.NAVEEN RAO, J**

24<sup>th</sup> July, 2019  
Rds



