

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15445 OF 2019

Date: 24.07.2019

Between:

Sabbi Narahari Rao S/o.Sabbi Balaiah,
Aged about 47 yrs, Occu : Business,
R/o.H.No.16-11-163, Teegalaguda,
Near Ramalayam Temple,
Malakpet, Hyderabad.

.....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

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ORDER:

Heard learned counsel for petitioner, learned Government Pleader for respondent No.1, Sri P.Krishna Reddy, learned Standing counsel for respondents 2 to 4 and learned Government Pleader for Revenue for respondent No.5.

2. According to petitioner, 6th respondent is the owner of land to an extent of 101.08 Square yards bearing Municipal D.No.16-11-164, Moosarambagh, Hyderabad. But he is claiming additional extent of land which is actually meant to be a passage separating the petitioner property and the 6th respondent property and is now undertaking construction.

3. Learned counsel for the petitioner do not dispute the fact that 6th respondent obtained building permission and undertaking construction in accordance with the building permission granted to him. Therefore, if petitioner disputes the ownership claim of 6th respondent and the earlier settlement of understanding to leave 28 Square feet of land as common passage, petitioner has to work out his remedies as available in law and the building permission granted and the construction activity undertaken by 6th respondent cannot be said as illegal. The representation submitted by petitioner in effect would amount to resolution of *inter se* dispute between the 6th respondent and petitioner and to hold that 28 Square feet of land as common passage which is beyond the jurisdiction and competence of the Municipal authorities.

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

P.NAVEEN RAO, J

24th July, 2019
Rds

