

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15585 OF 2019

Date:25.07.2019

Between:

Thota Srinu, S/o. Yadayya,
Age 32 years, Occ: Milk Business,
H.No.2-102, Kothapet Village,
Saroor Nagar, Ranga Reddy District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Municipal
Administration, Secretariat, Nampally,
Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15585 OF 2019****ORDER:**

Heard.

2. This Writ Petition is filed alleging that even though a complaint was filed with the respondent – GHMC on 22.04.2019 not to grant building permission to respondent No.5 in house bearing No.1-2-236, Old H.No.1-2-102 in Survey No.173 of Old Village Kothapet, Uppal Revenue Mandal, Ranga Reddy District, construction permission was granted and respondent No.5 is making illegal construction.

3. The material on record would disclose that on 25.05.2016, sale deed was executed by the family members of the petitioner in favour of respondent No.5 and the subject property was sold to him. Apparently, the sale deed is not challenged. It appears, petitioner filed O.S.No.203 of 2019 pending in the Court of I Additional Junior Civil Judge, Ranga Reddy District, against his family members praying to grant decree of partition in respect of the suit schedule property. The said suit is pending consideration.

4. Having regard to the fact that the sale was made in the year 2016 much earlier to the filing of the suit and respondent No.5 came into possession of the property and applied for building permission, the respondent - GHMC cannot be faulted. Merely because suit is pending is not a ground to interject construction of building as per permission granted. However, it is open to the petitioner to prosecute the pending suit and it is needless to

observe that based on the adjudication by the competent Court in the pending suit, petitioner may work out his remedies in terms thereof.

5. The Writ Petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:25.07.2019

KH

