

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 19149 of 2019

ORDER:

The petitioner asserts that she purchased Plot No.65 in Survey Nos.74 and 75 of Sriramapuram, Ramanthapur, Hyderabad through an agreement of sale dated 03.01.2004; that though there are civil disputes between her and respondent Nos.4 to 7 with respect to the said plot, building permission was granted in their favour; that she filed representation dated 23.07.2019 to respondent Nos.2 and 3 seeking cancellation of the said building permission and that as no action has been taken thereon so far, she filed this writ petition.

Heard learned counsel for the petitioner.

Learned Standing Counsel for respondent Nos.2 and 3 submits that the petitioner claims right over the above said plot through a notarised agreement of sale, which itself does not confer right in the property as in view of Section 54 of the Transfer of Property Act, agreement of sale does not confer ownership rights in the property. In those circumstances, non-consideration of the application of the petitioner cannot be found fault with.

In view of the above and though the petitioner submitted various aspects with regard to the civil proceedings pending between her and respondent Nos.4 to 7, this Court is refrained from making any comment with respect to the rights of the petitioner,

except stating that in the facts of the present case, it is not necessary for the respondent authorities to take into consideration the representation of the petitioner as there is no challenge in the writ petition with respect to the building permission granted in favour of respondent Nos.4 to 7.

In those circumstances, the writ petition is closed leaving it open to the petitioner to workout her remedies in accordance with law.

Miscellaneous applications, if any pending, shall also stand closed. No costs.

CHALLA KODANDA RAM, J

Dt:12.09.2019

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