

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20245 of 2019

ORDER:

In this Writ Petition, petitioner asserts that without obtaining any permission, respondent Nos.4 and 5 are proceeding with the construction in his land admeasuring Acs.8.16 guntas in Survey No.5 (old) situated at Sultan Bagh Village, Bandlaguda, and to that effect, he filed a complaint against them before the respondent authorities on 27.08.2019 and the same is not being acted upon.

It is to be noted that except asserting that respondent Nos.4 and 5 are proceeding with the construction in the subject land without obtaining any permission, there are no specifics mentioned by the petitioner in the writ affidavit. It is also to be noted that there is a primary duty cast on the petitioner to specify before this Court that he had made an effort to approach the authorities concerned seeking information whether any permission has been granted in favour of respondent Nos.4 and 5 or not for carrying on construction.

Considering the nature of relief, which the petitioner is seeking, in view of the fact that the petitioner is claiming right in the subject land and as no effort was made by him to state

whether any permission was granted in favour of respondent Nos.4 and 5 for carrying on construction, the petitioner is at liberty to approach the authorities concerned seeking specific information regarding permission obtained by respondent Nos.4 and 5 for making construction and in the event of there being no permission granted in their favour, he shall make a complaint and after giving a reasonable time to the respondent authorities to act upon the same and even thereafter, if there is no action taken by the respondent authorities, it is only at that particular point of time, the Writ Petition of this nature is required to be entertained.

Subject to the above observations, this Writ Petition is disposed of.

Miscellaneous Petitions, if any pending, shall stand closed.
There shall be no order as to costs.

CHALLA KODANDA RAM, J

19th SEPTEMBER, 2019.

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