

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22769 of 2019

ORDER:

In this Writ Petition, petitioner alleges that he entered an agreement of sale with the fourth respondent on 02.03.2015 with respect to the subject land and as the fourth respondent was not coming forward to execute a registered sale deed in his favour, he filed O.S.No.931 of 2016 in the Court of IV Additional District Judge, Ranga Reddy, and the same is pending consideration; that he also filed I.A.No.1230 of 2016 seeking interim injunction restraining the fourth respondent from changing the nature of the subject property and there is an ad interim injunction granted restraining the fourth respondent from raising any structure over the suit schedule property and the same is being extended from time to time and that as on date, the injunction order is in existence till 22.11.2019, but, without there being any permission, the fifth respondent is carrying on construction on the subject land, as such, he submitted a representation on 13.09.2019 to respondent Nos.2 and 3 complaining that respondent Nos.4 and 5 are making construction on the subject land, but, so far, they did not take action against respondent Nos.4 and 5.

Learned Standing Counsel for Hyderabad Metropolitan Development Authority appearing for the second respondent, on instructions, submits that building permission was granted on 14.11.2018 and that at any rate, as of date, the petitioner does not have any right in the property.

Having regard to the respective submissions and considering the fact that the petitioner has already invoked the jurisdiction of the civil Court by way of filing O.S.No.931 of 2016, this Writ Petition is closed by giving liberty to the petitioner to pursue the remedy, which he has already invoked before the civil Court, or any other remedy as available to him under law.

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

CHALLA KODANDA RAM, J

21st OCTOBER, 2019.

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