

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23458 of 2019

ORDER:

Petitioner claims that he has a share in the land in Survey Nos.9 to 15 of Thummalkunta (Champapet) Village, Ranga Reddy District; that he filed O.S.No.90 of 2011 before IV Additional District & Sessions Judge, Ranga Reddy District for partition and separate possession of the suit schedule property, which came to be dismissed on 26.10.2016; that aggrieved by the said judgment, he filed A.S.No.1099 of 2016 before this Court; that in the said Appeal, this Court by order dated 15.12.2016 granted ad-interim injunction restraining the respondents therein from changing the nature of the suit schedule property; that in violation of the said injunction order, respondent No.20 in the Appeal had executed a sale deed in favour of father of respondent Nos.6 and 7, who, in turn, gifted the same to respondent Nos.6 and 7 herein; that respondent Nos.6 and 7 are making constructions in the subject property and that as the title acquired by them is not valid, the petitioner submitted application dated 23.09.2019 to respondent No.2-Greater Hyderabad Municipal Corporation seeking cancellation of the permission granted in favour of respondent Nos.6 and 7 and the same is not being considered. Hence, this writ petition.

Learned Standing Counsel for respondent Nos.2 to 5 submits that as respondent Nos.6 and 7 were granted building permission after examining necessary documents, the writ petition does not deserve consideration.

In view of the above, without expressing any opinion with respect to the merits of the matter, the writ petition is disposed of with the direction to respondent No.2 to consider the application of the petitioner and pass orders, as expeditiously as possible, by following the procedure prescribed and after issuing notice to respondent Nos.6 and 7.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

Dt:28.10.2019
kdl

CHALLA KODANDA RAM, J



