

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24819 OF 2019

ORDER :

This Writ Petition is filed by the petitioners seeking a writ of *mandamus* declaring the action of respondent Nos.1 and 2 in not taking any action pursuant to their representation dated 09.10.2019 submitted to them as illegal, arbitrary and for a consequential direction to respondent Nos.1 and 2 to forthwith consider their representation and cancel the building permission granted in favour of respondent Nos.3 to 6 vide permit No.2/C27/12619/2019 dated 19.08.2019.

2. The complaint of the petitioners is that by misrepresentation and playing fraud, respondent Nos.3 to 6 had obtained building permission dated 19.08.2019 over Plot No.265 admeasuring 267 square yards and Plot No.280 admeasuring 267 square yards in Survey Nos.575, 576, 577, 578, 579 and 580 situated at Pakalakunta, Alwal Gram Panchayat, Hyderabad West, which, in fact, is owned and possessed by the petitioners.

3. The petitioners assert that the subject property was acquired by them from their lawful vendor M/s. Navabharath Cooperative House Building Society and got it regularised both under Urban Land Ceiling Act, 1976, and also under the Land Regularisation Scheme issued by the Government from time to time by paying requisite fees to the authorities concerned.

4. Heard Sri N. Sreedhar Reddy, learned counsel for the petitioners, and Sri Ch. Madhu, learned Standing Counsel for respondent Nos.1 and 2 - Greater Hyderabad Municipal Corporation, and perused the material on record.

5. Learned Standing Counsel for respondent Nos.1 and 2 would submit that the objection of the petitioners would be considered in terms of Section 450 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short 'GHMC Act').

6. Since no adverse order is being passed against respondent Nos.3 to 6 except directing respondent Nos.1 and 2 to act in accordance with law, there is no requirement of issuing notice to them at this stage.

7. Accordingly, respondent Nos.1 and 2 are directed to issue notice to respondent Nos.3 to 6 and consider the objections of the petitioners in terms of Section 450 of the GHMC Act by following due process of law within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above directions, the Writ Petition is disposed of.
No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the writ petition stand closed.

CHALLA KODANDA RAM, J

November 12, 2019.
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