

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 25498 OF 2019

ORDER :

This writ petition is filed challenging the action of respondents in seeking to dispossess the petitioners from their respective private residential plots/properties situated in Plots bearing No.467, admeasuring 372.80 Sq.Yards (1st petitioner), Plot bearing No.468 admeasuring 341.49 Sq.Yards (2nd petitioner), Plot bearing No.470, admeasuring 457.47 Sq.Yards (3rd petitioner), Plot bearing No.469, admeasuring 457.47 Sq.Yards (4th petitioner), Plot bearing No.465, admeasuring 430.25 Sq.Yards (5th petitioner), Plot bearing No.447, admeasuring 516 Sq.Yards (6th petitioner), Plot bearing No.455, admeasuring 516.67 Sq.Yards (7th petitioner), Plot bearing No.456, admeasuring 516.67 Sq.Yards (8th petitioner), Plot bearing No.450, admeasuring 459.26 Sq.Yards (9th petitioner), Plot bearing No.449, admeasuring 459.26 Sq.Yards (10th petitioner), Plot bearing No.462, admeasuring 503 Sq.Yards (11th petitioner), and Plot bearing No.418 & 422 admeasuring 918.52 Sq.Yards (12th petitioner), forming part of Survey No.1007, situated at M/s.Bhagyanagar Co-operative Housing Society Limited, Kukatpally Village, Balanagar Mandal, R.R.District, at the instance of third parties, without following due process of law as illegal and arbitrary.

Heard learned counsel for petitioners.

Learned Standing Counsel for the respondent Corporation Sri Sampath Prabhakar Reddy denies the allegations of the petitioners. On instructions, he submits that the petitioners, in the guise of filing the writ

petition, are attempting to construct basements in the subject plots without obtaining permission, as is mandated under the Greater Hyderabad Municipal Corporation Act, 1955 and the Rules made thereunder.

As the petitioners had not placed any material before this Court to the effect that the basements are in existence as on the date of filing of the writ petition, the writ petition is disposed of with an observation that the petitioners shall not make any construction in the subject plots without obtaining prior permission from the respondent authorities, likewise, the respondent Corporation also shall not interfere with the possession of the petitioners over the afore-stated plots without following due process of law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

20.11.2019
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