

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.36550 OF 2018

Date: 20.6.2019

Between:

Talib Bin Abdullah

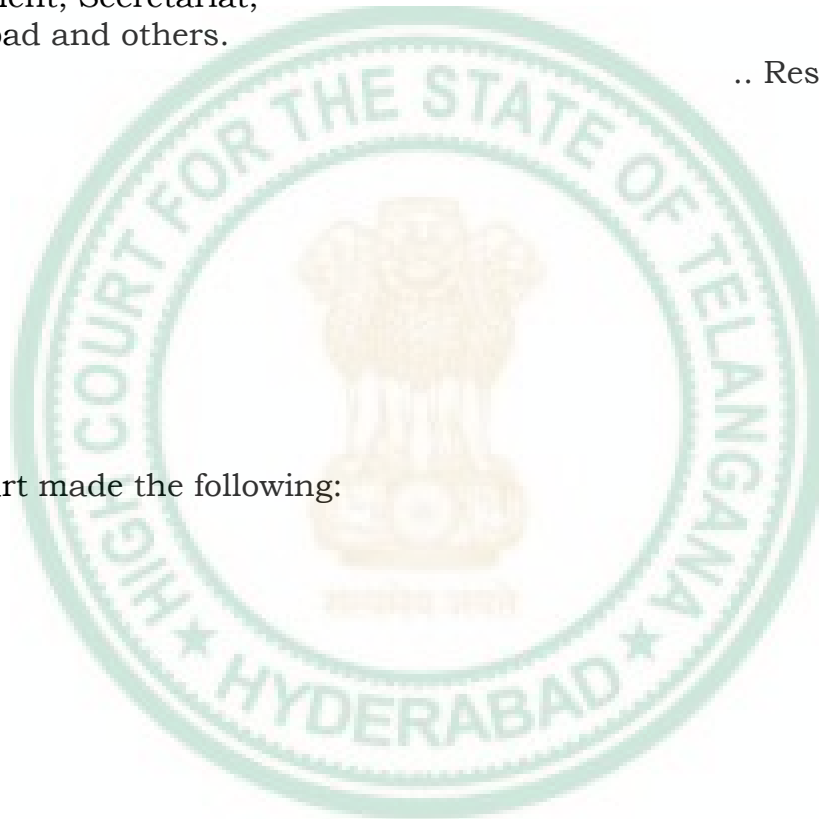
.. Petitioner

And

State of Telangana, rep. by its
Principal Secretary, Municipal Administration
Department, Secretariat,
Hyderabad and others.

.. Respondents

The Court made the following:



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ORDER:

The petitioner claims to be owner of open land admeasuring 183 sq.yards situated at Chowni Nade Ali Baig, Yakutpura, Hyderabad. The petitioner alleges that by obtaining building permission in respect of H.No.17-2-4/9/A/2 situated at Chowni Nade Ali Baig, Yakutpura, Hyderabad, 6th respondent encroached upon his property and started construction. The petitioner made several complaints to the authorities, but no action is taken. Hence this writ petition.

2. It is not in dispute that the building permission was granted to 6th respondent. According to the petitioner, under the guise of building permission, 6th respondent is encroaching upon his property and started construction.

3. A careful reading of averments made in paragraphs 4 and 5 of the affidavit, it is clear that both the house numbers mentioned therein are same, but there are two sub-divisions. Whether these sub-divisions are forming part of the subject property or independent are matters which cannot be gone into in this writ petition. If the petitioner disputes title of 6th respondent or if there is any encroachment by 6th respondent, petitioner has to workout his remedy as available to him, under law. Be that as it may, it cannot be said that the building permission granted by the respondent Corporation is *per se* illegal.

4. Therefore, the writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

P. NAVEEN RAO, J

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