

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.2395 of 2020

ORDER:

Heard learned counsel for the petitioner as well as the learned standing counsel appearing for the respondent No.2 – Corporation.

2. The prayer sought in the writ petition is as under:

“... the Hon'ble Court may be pleased to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus declaring that the action of the Respondents in issuing Ownership certificate vide Taxation/1567/2019 dated 05-09-2019 in favour of Respondent No.7, consequential building permission vide permit NO.3/C21/16792/2019 dt.21-11-2019 in favour of the respondent no 6 for construction of residential house ie., stilt + 2 floors in respect of H.No.2-94/1 at Chandanagar Village (Gangaram) of Serilingampally mandal, RR District, to an extent of 302 Sq. Yards., as illegal, arbitrary and violative of the provisions of the GHMC Act 1955 as amended from time to time and consequently to revoke the ownership certificate vide Taxation/1567/2019 dt. 05-09-2019 and cancel the building permission vide permit NO.3/C21/16792/2019 dt.21-11-2019 in respect of H.No.2-94/1 at Chandanagar Village of Serilingampally mandal, RR District, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. During the course of hearing, the learned standing counsel placed on record the written instructions dated 19.02.2020 issued by the Assistant City Planner, GHMC, Circle – 21, Chandanagar, Serilingampally.

4. From a perusal of the said written instructions, it is revealed that there is a conflict with the ownership documents amongst D. Shankar, Kandi Pentaiah and others and Dappu Balaiah. In that context, there is also a case pending and the same has to be decided by a Court of law. Since the ownership documents submitted are not

satisfying and also with the fictitious tax mutation document, the permission accorded, will be canceled by following the due procedure.

5. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be closed.

Accordingly, the writ petition is closed. However, the respondent No.2 – Corporation is directed to complete the entire exercise within a period of four (4) months from the date of receipt of a copy of this order.

As a sequel thereto, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

P. KESHAVA RAO, J

February 26, 2020
DSK

