

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.36613 OF 2021

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus to declare the action of the respondent No.6 in entertaining application/s with regard to grant of building permission filed by third parties, in spite of the petitioners objections and without there being any approved layout in respect of Survey Nos.1 to 21, and in not furnishing information with regard to the building permissions sanctioned in respect of the land admeasuring Ac.13-02 guntas out of Ac.16-02 guntas in Survey No.19, situated at Salarjung Kancha, Parvathapur Village, Medipally Mandal, Medchal-Malkajgiri District, in spite of the judgment and decree, dated 11.12.2020, passed in O.S.No.168 of 2012 by the VIII Additional Senior civil Judge, Ranga Reddy District at L.B.Nagar, as illegal and arbitrary.

2. Heard the learned counsel for both sides and perused the record.

3. In the course of submissions, it is brought to the notice of this Court that the petitioners are seeking relief against third parties, who are not made as party respondents to the present Writ Petition.

4. It is pertinent to state that the persons, against whom the petitioners are seeking relief, are necessary parties for effective

adjudication of the Writ Petition. The petitioners ought to have made them as parties to this Writ Petition and sought relief.

5. Under these circumstances, the Writ Petition is liable to be dismissed for not making the necessary parties as party respondents to the Writ Petition.

6. Accordingly, the Writ Petition is dismissed. However, liberty is granted to the petitioners to file a fresh Writ Petition by making the persons, who made applications to seek building permission in respect of the subject property, as parties to the Writ Petition.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Date: 30.12.2021
YVL

Dr. SHAMEEM AKTHER, J

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YVL