

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.45519 of 2022

ORDER

This Writ Petition is with the following prayer;

“to issue a writ, order or direction, more particularly one in the nature of writ of mandamus to declare the action of respondent No.2 in trying to interfere with the construction of the building comprising ground + first floor over plot admeasuring 119.96 sq. yards bearing Plot No.11 Eastern Part in Sy.No.13 Part and 14 Part, situated at Venkata Ramanapuram Layout, Salarjung Kancha, Parvathaur Village, Medipally Mandal, Medchal Malkajgiri District, in accordance with the building vide permit No.106738/PERZ/2384/2021 dated 01-12-2021 being carried on by the petitioner in accordance with the sanction plan as illegal and arbitrary. Consequently to restrain respondent No.2 from causing any interference with the construction work in progress in accordance with the sanction plan for construction of residential house over the said plot”.

2. Learned counsel for the petitioner Mr. V. Srinivas submits that the petitioner is absolute owner of Plot No.11, admeasuring 119.96 sq. yards, Eastern Part in Sy.No.13 Part and 14 Part, situated at Venkata Ramanapuram Layout, Salarjung Kancha, Parvathaur Villge, Medipally Mandal, Medchal-Malkajgiri District, and he has made an application seeking permission and the same was granted on 01-12-2021 for construction of ground + 1 upper floor. He submits that the petitioner has started construction and respondent No.2 Corporation, in a highhanded manner and without issuing any notice is interfering with the petitioner's construction activity.

3. Learned Standing Counsel for respondent No.2 Mr. B. Jagan Madhav Rao submits that the petitioner having obtained permission in

respect of Plot No.11, Eastern Part in Sy.No.13 part and 14 part, is making constructions by encroaching upon the other plot and in this regard, the respondent Corporation will issue notice and take appropriate action in accordance with law.

4. Accordingly, the Writ Petition is disposed of directing the respondent Corporation to issue notice to the petitioner and take further action in accordance with law. The entire process shall be completed within a period of four weeks from the date of receipt of a copy of this order. Till such time, the petitioner shall not make any constructions in the subject property. No order as to costs.

5. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

SMT LALITHA KANNEGANTI, J

21st December, 2022.

sj