

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos.22601 of 2006 and 11257 of
2008

WRIT PETITION No.22601 of 2006

Dated: 22.10.2009

Between:

P.Dharanija

Petitioner

...

And:

The Greater Hyderabad Municipal Corporation,
Hyderabad and another.

...Respondents

AND

WRIT PETITION No.11257 of 2008

Between:

Smt Kotha Shobha Rani @ Anuradha

Petitioner

...

And:

The Government of A.P., repled by its Principal
Secretary, Municipal Administration and Urban
Development Department, Corporation, Hyderabad and
four others.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos.22601 of 2006 and 11257 of
2008

COMMON ORDER:

Writ Petition No.22601 of 2006 is filed challenging the proceedings, dated 16.10.2006, issued by the Commissioner of Alwal Municipality rejecting the application of the petitioner for sanction of a building plan on Plot No.2 in Survey Nos.280 and 281 of Alwal. The second respondent in the writ petition on the other hand filed Writ Petition No.11257 of 2008 alleging that respondents 1 to 3 therein are not taking steps on her representation.

Heard learned counsel for the petitioners and learned counsel for the respondents.

The petitioner on the one hand and the second respondent on the other hand represent two branches of the same family. The dispute appears to be as to the existence or otherwise of partition of the properties between the two branches.

The Commissioner, Alwal Municipality, rejected the application of the petitioner only on the ground that there exists a dispute of title about the land on which the

building is sought to be constructed. Reference is also made to O.S.No.1000 of 2006 on the file of the II Additional Senior Civil Judge, Ranga Reddy District at N.T.R.Nagar, Hyderabad. The grievance canvassed by the petitioner in the other writ petition is nothing but the facet of the same dispute. It is brought to the notice of this Court that O.S.No.1000 of 2006 has since been disposed of and an appeal is pending before the appellate Court. In this view of the matter, not much can be expected from the Municipality or its successor. Ultimately, the local authority can be expected to process the application only when the civil dispute in relation to the land is resolved in one way or the other.

The writ petitions are disposed of, directing that it shall be open to the authorities to take necessary steps depending upon the outcome of the pending civil proceedings. There shall be no order as to costs.

JUSTICE L.NARASIMHA REDDY

Dated:22.10.2009
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