

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**WEDNESDAY, THE TWENTY THIRD DAY OF SEPTEMBER TWO
THOUSAND AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.30986 of 2015

Between:

S. Mallesh Rao, S/o. Janardhan Rao,
Aged about 27 years, Occ: Private Employee,
R/o.2-22-88/2, Eenadu Colony,
Vijayanagar Colony, Kukatpally,
Hyderabad.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration and
Urban Development Department,
Secretariat, Hyderabad & 4 others

.. Respondents

The Court made the following:

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ORDER:

Alleging that the neighbours of the petitioner are undertaking illegal construction without obtaining building permission, the petitioner obtained information under the Right to Information Act, 2005, to know the status and based on the information furnished by the Public Information Officer of Cricle-XIV of the Greater Hyderabad Municipal Corporation (for short, 'GHMC'), this writ petition is filed.

2. When the matter is taken up for consideration, learned Standing Counsel produced the notice issued under Sections 452(1) & 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act') on 31.07.2015 and notice issued under Section 452(2) of the Act on 18.08.2015.

3. Having regard to the fact that GHMC has already initiated proceedings, as mandated by the GHMC Act, it cannot be said that GHMC is negligent in enforcing the provisions of the Act and allowing the illegal construction stated to have been made by respondents 4 and 5. Thus, the cause in the writ petition does not survive.

4. Accordingly, the Writ Petition is closed. However, it is needless to observe that GHMC shall take further course of action, as warranted by law, within a fixed time frame. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 23rd September, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 23rd September, 2015

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