

The Hon'ble Sri Justice A.Rajasheker Reddy

Writ Petition No.14243 of 2015

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Order:

This Writ Petition is filed for a Mandamus to declare the inaction of the respondents in preventing and stopping the illegal and unauthorised construction of church/prayer hall at Plot No.49/A, beside Divya Laya Apartment, Rajeevnagar Colony, Yousufguda, Hyderabad, which is contrary to G.O.Ms.No.263, Revenue, dated 31-03-2010, despite protest from the residents of the said Colony, as illegal and arbitrary.

Heard the learned Counsel for the petitioners and Mr.P.Keshava Rao, learned Standing Counsel for respondent No.2- Corporation.

The learned Standing Counsel for respondent No.2, on instructions, submitted that earlier, when respondent No.4 started construction, petitioner No.1- Association raised an objection and hence, the construction was stopped. Now, respondent No.4 applied for the building permission and the same was granted after his giving an undertaking to the effect that he will not construct any place of worship in the subject site. The learned Standing Counsel further submitted that basing on the same, the ground floor was constructed by respondent No.4 and that as on today, the same is not used for any religious purpose.

The aforesaid submission of the learned Standing Counsel is placed on record. However, as and when any steps are taken by respondent No.4 to use the subject building for religious purpose, it is open for the petitioners to question the same by availing the appropriate remedy available to them in law.

At this stage, the learned Counsel for the petitioners stated

that respondent No.4 has been constructing the subject building without leaving proper set backs.

In view of the same, respondent No.2 is directed to consider the representation stated to have been made by the petitioners in this regard on 24-02-2015 and pass appropriate order thereon, after issuing notice to the petitioner and respondent No.4, in accordance with law.

With the above observation and direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.18650 of 2015, filed by the petitioners for interim relief, is dismissed as infructuous.

(A.Rajasheker Reddy, J)

Dt: 7th May, 2015
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