

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

WRIT PETITION NO.24715 of 2015

Between :

Sri D. Sudhir S/o.Late D.Shankar,
Aged about 44 yrs, Occu : Private Employee,
R/o.1-1-180/25 & 26, RTC Cross Roads,
Hyderabad-500 020.

.. Petitioner

and

Greater Hyderabad Municipal Corporation,
Rep., by its Commissioner,
Tank Bund Road, Hyderabad & others

.. Respondents

DATE OF JUDGMENT PRONOUNCED : 06.08.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

The petitioner alleges that the grand father of the petitioner along with neighbours constructed rain water outlet from their property, as early as in the year 1980 and then connected to the Hussainsagar Nala line in the year 2012. After construction of rainwater channel, there was no stagnation. Recently, the 2nd respondent-Hyderabad Metropolitan Water Supply & Sewerage Board (Board) has taken up construction of rainwater drainage channel on the public road and intending to connect the rainwater drain channel built by the petitioner underneath his property and this channel is going to be connected to the main road drain water. In such a case, the existing rainwater channel system will not cater due to the high density of the rain water and there will be choking of rain water in the surrounding properties. Opposing construction of rainwater channel as is being done now, a representation is submitted on 03.08.2015 to the respondents and immediately thereafter, this writ petition is filed.

2. Learned counsel for the petitioner articulated that such construction is not in the interest of the surrounding people and it is not in the larger public interest also. In fact there are better ways of creating channels for rain water and that has to be done in a more scientific manner. The present action of the respondents is going to create more problems.

3. Learned Standing counsel submits that the concerned authority who has to attend to the grievance is the General Manager of the respondent-Board, Musheerabad Division, Hyderabad. Whereas, no such representation was submitted to him, and if any representation is made, the same would be attended to, on priority basis and due reply would be given to the petitioner.

4. Having regard to the same, the writ petition is disposed of, granting liberty to the petitioner to submit a copy of the representation dated 03.08.2015 to the General Manager of the respondent-Board, Musheerabad Division, Hyderabad immediately. On receipt of such representation, the General Manager of the respondent-Board, shall consider the grievance of the petitioner with reference to the technical aspects and the allegation of offending private channel and give due reply to the petitioner, and if necessary, take further course of action as warranted by law. Such a reply should be furnished to him within a period of one week from the date of receipt of such representation. All the issues are left open to the petitioner, which are agitated in this writ petition. It is also open to the petitioner to request the General Manager, Narayanaguda Division, to stop the work till the representation is disposed of, and the General Manager, shall consider the request of the petitioner. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

P.NAVEEN RAO,J

06th August, 2015.

Note : Issue C.C. by tomorrow

B/o.

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