

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.31384 OF 2011

ORDER

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The case of the petitioner is that he is the resident of Haridaspura, Langerhouse, Hyderabad and the unofficial respondents 5 to 9 also reside in the same area. The said area is a notified slum. While so, the unofficial respondents 5 to 9 encroached the public road on the eastern side of the petitioner's house and raised a compound wall. Regarding the same, petitioner made complaints to all the official respondents on 04.12.2010, 18.10.2010 and 28.07.2011 and the same were endorsed by all the official respondents. Basing on the complaints made by the petitioner, the demolishing squad came to the area on 27.05.2011, 29.05.2011, 04.06.2011 and 15.06.2011, but left the area without demolishing the walls raised by the unofficial respondents 5 to 9. Aggrieved by the action of the official respondents in not taking action against the unofficial respondents, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Today, when the matter is taken up for hearing, the learned Standing counsel for respondents produced written instructions wherein it is stated that the site under reference has been inspected on 19.06.2015 and the said locality is an old existing locality since 30 years which is not covered with any approved layout and all the constructions made therein are without obtaining any prior permission from the GHMC. Regarding construction of wall on road at H.No.9-1-319/C, Haridaspura, there is no construction activity at present and there is an old existing house.

In this case, petitioner has not stated that he has constructed the house by obtaining permission from GHMC and he has also not stated that there is an approved layout existing in the said locality showing the width of the roads etc. As per the written instructions produced by the learned Standing counsel, there is no such construction activity going on in the said area as alleged by the petitioner.

In view of the fact that there is no approved layout existing in the said area and that there are no roads as per the approved layout. Unless the approved layouts are found and the same are encroached by the respondents, the respondent authorities cannot take action. In the absence of the same, this Court will not direct the respondents to take action. More so, as per the written instructions, since there is no such construction activity going on in the said area, I do not see any merit to entertain the writ petition.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER

REDDY,J

Date: 22.06.2015

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