

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

WRIT PETITION NO.24389 of 2015

Between :

Arun Tandon S/o.J.P.Tandon,
Aged 50 yrs, Occu : Business,
R/o.Flat No.301, H.No.1-2-597/22,
Sri Sai Nilayam, Domalguda, Hyderabad.

.. Petitioner

and

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

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_____. 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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WRIT PETITION No. 24389 of 2015

ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for R.1 and learned Standing counsel for R.2 & R.3.

2. The petitioner and his wife are the owners and possessors of property bearing No.1-2-597/22, Sri Sai Nilayam, Domalguda, Hyderabad. The 4th respondent started construction of building with ground + five floors, without leaving the set backs and proceeding with illegal constructions in a post haste manner. The petitioner objected for the said illegal constructions, but the 4th respondent is not caring and threatening with dire consequences. The petitioner submitted a representation to the respondents 2 and 3 on 19.03.2015. But so far no action has been taken and on the other hand the 4th respondent is proceeding with illegal construction. Due to the said illegal construction, the road is blocked and the air and ventilation is also blocked to the house of the petitioner. Hence, this writ petition.

3. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondents 2 & 3 to expeditiously dispose of the representation dated 19.03.2015, submitted by the petitioner.

4. Having regard to the same, without expressing any opinion on merits of the matter, writ petition is disposed of directing the

respondents 2 & 3 to consider the representation of the petitioner dated 19.03.2015, and pass appropriate orders as warranted under law within a period of four weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. It is made clear that since acting on the representation submitted by the petitioner would likely to affect the rights of 4th respondent, before taking any coercive action against the 4th respondent, the Corporation shall cause notice and give due opportunity of hearing and after observing due process of law only, any such action can be taken. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

**P.NAVEEN
RAO,J**

06th August, 2015.
Rds