

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.36433 of 2015

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07.11.2015

Between:

Dr.Sazzala Jeevananda Reddy

.. Petitioner

and

The Greater Hyderabad Municipal Corporation,

Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.Avinash Desai

Counsel for respondent Nos.1 and 2: --

Counsel for respondent No.3: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of the respondents in attempting to interfere with the petitioner’s property bearing plot No.277/III, Jubilee Hills Cooperative House Building Society, Road No.78, Jubilee Hills, Hyderabad, by seeking to erect a wall or otherwise close down the road access on the eastern side to the petitioner’s plot as illegal and arbitrary.

At the hearing, to a query of this Court, the learned counsel for the petitioner has submitted that so far neither a notice was issued to his client nor any work for closure of the road on the eastern side of his house has been commenced by the respondents. Though the petitioner has alleged that there is an attempt to close the road, he has failed to make a representation or issue a notice to respondent No.1 to refrain from doing so.

In my opinion, before approaching this Court claiming issue of a writ of *mandamus*, the petitioner is bound to sensitize the respondents and demand them to refrain from committing the alleged acts. As the petitioner failed to follow this procedure and the writ petition is based on mere apprehension unsupported by any evidence, I am not inclined to entertain this writ petition at this stage.

The Writ Petition is accordingly dismissed, however, with liberty to the petitioner to avail a fresh remedy in the event the respondents seek to close the road even after the petitioner making his representation.

As a sequel to dismissal of the writ petition, W.P.M.P.No.46918 of 2015 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

07th November, 2015

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