

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1412 OF 2015

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ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not considering and disposing of the representation made by the petitioner on 12.01.2015 with regard to dumping of debris and heavy stones over petitioner's property, situated in Sy.No.58/1/N, at Karmanghat Village, Saroornagar Mandal, L.B.Nagar Municipality, as illegal and arbitrary and in violation of principles of natural justice.

The case of the petitioner is that he is a priest of School of Thoughts, Gurudwara, Ghoshamahall, Hyderabad and the said Gurudwara is the absolute owner, possessor and occupier of the land along with the Gurudwara situated in Sy.No.58/1/N, Ward No.8, Block No.3, admeasuring 4000 sq. ys., situated at Karmanghat Village, Saroornagar Mandal, L.B.Nagar Municipality, by virtue of registered gift settlement deed dated 31.07.2000 by its original owner. Since the petitioner is a priest of the said Gurudwara, he is in occupation of the above said property in pursuance of the registered gift deed and performing the religious ceremonies in the said Gurudwara. The case of the petitioner is that the respondent Corporation is dumping debris and heavy stones in the said property, as such petitioner made a representation dated 12.01.2015 to the respondent Corporation. But, no action has been taken by the respondents till today. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Learned Standing Counsel for the respondent Corporation submits that in the representation dated 12.01.2015, the petitioner has not given

the particulars of the house number, except mentioning survey number and extents of the land in question.

Since the petitioner has already given a representation dated 12.01.2015 it is for the petitioner to give particulars to respondent Corporation for identification of property and thereafter, it is for the 3rd respondent to take appropriate action as per law. In view of the same, the 3rd respondent is directed to dispose of the representation of the petitioner dated 12.01.2015 and take action as per law, after particulars are furnished by the petitioner. Till then, there shall be stay of dumping of debris and heavy stones over the petitioner's property.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

04.02.2015

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