

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8334 OF 2015

ORDER:

This writ petition is filed seeking *Writ of Mandamus* declaring the action of the 2nd respondent in not considering the representation of the petitioner dated 02.03.2015 and 03.03.2015 in respect of the illegal construction being carried on by the 3rd respondent at Door No.5-8-623 and 5-8-625 situated at Abids, Hyderabad, as illegal and arbitrary and for a consequential direction to stop the illegal constructions being carried on by the 3rd respondent.

The case of the petitioner is that the 3rd respondent is making constructions in the property belonging to the Mosque bearing D.No.5-8-623 and 625, without obtaining any Municipal permission. Against the same, the worshippers of the Mosque submitted representations dated 02.03.2015 and 03.03.2015 to the 2nd respondent. But the 3rd respondent failed to take action against the illegal constructions being carried on the 3rd respondent. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Sri R.Radha Krishna Reddy, learned Standing counsel for the 2nd respondent-Corporation submits that in respect of property bearing D.No.5-8-625, a notice under Section 55(2)(1) of the Hyderabad Municipal Corporation Act has been issued and the unofficial respondents filed O.S.No.132 of 2015 on the file of VI Junior Civil Judge and obtained *status-quo*. As such, no action can be initiated. As far as property bearing D.No.5-8-623 is concerned, there is vacant land and no construction is being made therein.

In view of the submission made by the learned Standing counsel for the respondent-Corporation, it is for the petitioner to implead himself in O.S.No.132 of 2015 and get vacated the *status-quo* order and thereafter, the official respondents shall take necessary action in furtherance of the same.

With the above observation, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, pending, if any shall stand closed.

A.RAJASHEKER REDDY, J

27.03.2015

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