

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

**TUESDAY, THE TWENTY NINTH DAY OF SEPTEMBER TWO THOUSAND
AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.31457 of 2015

Between:

K. Rajarathna Rao,
S/o. Late Srirama Murthy,
Aged about 73 years,
Occ: Retd. Employee,
R/o. 12-4-183, Road No.1,
Pragathinagar, Moosapet,
Hyderabad.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration and
Urban Development Department,
Secretariat, Hyderabad & 2 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.31457 of 2015

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ORDER:

This writ petition is filed questioning the action of the 3rd respondent in connecting drainage sewerage and discharging sewage through rain water drain into the vacant land besides the house of the petitioner situated in Road No.1, Pragathinagar, Moosapet, Kukatpally Circle, Hyderabad, as illegal and arbitrary and consequently direct the 3rd respondent to consider representations submitted by the petitioner, dated 05.01.2015 and 04.03.2015, for taking immediate action in removing the illegal connection from drainage to rain water drain so as to prevent health hazard to the petitioner.

2. Heard the learned counsel for petitioner, learned Government Pleader for Municipal Administration for the 1st respondent and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondents 2 and 3 and with their consent, the writ petition is taken up for disposal at the stage of admission.

3. Petitioner claims to be the owner of residential house bearing No.12-4-183 in Road No.1, Pragathinagar, Moosapet, Kukatpally Circle, Hyderabad. The petitioner claims that Road No.1 is a dead end as it is blocked by the compound wall of neighbouring vacant land. As there is no scope of draining the rain water, a small 50 meter rain water drain was laid by the side of the road by the respondent Corporation letting out the rain water through a hole underneath the compound wall into the vacant land. The petitioner submits that an illegal connection was made in between the drainage line and rain water drain resulting in diverting sewage from drainage to rain water drain and as a result, the petitioner and others are suffering from severe health hazard thereby endangering their lives. The petitioner has submitted representations, dated 05.01.2015 and 04.03.2015, to the 3rd respondent for taking immediate action in removing the illegal connection from drainage to rain water drain, but so far, no action is taken thereon and the same are pending.

4. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 3rd respondent to expeditiously dispose of the complaints of the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kukatpally Circle, Kukatpally, Hyderabad (3rd respondent) to consider the complaints of the petitioner, dated 05.01.2015 and 04.03.2015, and pass appropriate orders, as warranted by law, within a period of six (6) weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 29th September, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.31457 of 2015

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Date: 29th September, 2015

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