

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39043 of 2015

Date:02.12.2015

Between:

S.V.Satyanarayana,

S/o S.V.S.R.V.Prasad

..... Petitioner

And:

The Greater Hyderabad Municipal

Corporation, repled by its Commissioner/

Special Officer, Hyderabad and two others.

.....Respondents

Counsel for the Petitioner: Mr. B.V.V.S.Murthy

Counsel for Respondent No.3: None appeared

The Court made the following:

ORDER:

The petitioner, who claimed to have made a representation as far

back as 08.4.2010 expressing his grievance against respondent No.3 for allegedly encroaching a road, has woken up after five years and filed this Writ Petition for a *Mandamus* to respondent Nos.1 and 2 to take action against respondent No.3.

On the petitioner's own showing, he and respondent No.3 are at logger heads and a lot of litigation has been generated between them. Having kept quiet for five years without even moving respondent Nos.1 and 2 for ventilation of his grievance, the petitioner cannot invoke the jurisdiction of this Court under Article-226 of the Constitution of India.

As held by the Supreme Court, before seeking a Writ of *Mandamus*, the aggrieved party has to first approach the authority concerned seeking justice (See ***Kamini Kumar Das Choudhury vs. State of West Bengal***)

In the light of the above legal position and as the petitioner has failed to move respondent Nos.1 and 2 for appropriate action before filing this Writ Petition, I am not inclined to entertain this Writ Petition at this stage. Hence, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.50330 of 2015 shall stand dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

02nd December, 2015

DR