

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37402 OF 2012

ORDER:

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the action on the part of respondent No.2 in not resorting to measures in the matter of demolition of illegal and unauthorized constructions in the Ground Floor meant for parking area of Concorde Apartments at 6-3-658, Erramanzil, Somajiguda, Hyderabad, in exercise of powers under Sections 452 and 636 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, "the Act") as illegal and against the very spirit of the provisions under Sections 452 and 636 of the Act, and consequently, to direct respondent Nos.2 and 3 to initiate measures for demolition of illegal and unauthorized constructions in the Ground floor of the said apartment.

2. Case of the petitioner is that he purchased Flat No.403 in the 4th floor, Concorde Apartments bearing M.C.H.No.6-3-658, Somajiguda, Hyderabad in the year 2011. While so, the ground floor (parking portion) was unauthorizedly occupied by three different companies/persons and converted into posh corporate office portions and utilising the same for commercial purpose by utterly violating the permission conditions and the respondent Corporation is collecting property taxes for all these unauthorized portions and there is no initiation from the respondent Corporation to remove the unauthorised illegal portions in the parking area. The visitors of the building are parking their vehicles in large number on the front side road, which is causing inconvenience to the general public and pedestrians in a big way. Hence, he made a representation, dated 23.6.2012, to respondent Nos.1 to 3 for taking appropriate action. As no action is being taken, the petitioner filed the present writ petition.

3. No counter-affidavit is filed though notice was served on the respondents.

4. Sri K.Madhava Reddy, learned counsel for the petitioner, submits that though the petitioner made a representation on 23.6.2012 to respondent Nos.1 to 3, no action has been taken by respondent No.3 and in view of the same, it is for respondent No.3 to act on the representation, dated 23.6.2012, of the petitioner and take appropriate action in accordance with law.

5. In view of the same, respondent No.3 is directed to consider the representation, dated 23.6.2012, of the petitioner and take appropriate action in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 08.09.2015
AMD

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