

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24091 of 2015

DATED : 27.08.2015

Between :

Dr. Mohd. Himayath Ali Khan, S/o.Late Mohd. Hamid Ali Khan,
Aged about 40 yrs Occu : Doctor,
R/o.H.No.17-3-235, Imlibun, Yakutpura,
Hyderabad and another.

.. Petitioners

and

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

.. Respondents

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

Heard learned counsel for petitioner, Sri N. Ashok Kumar, learned Standing counsel for the Respondents 2 and 3 and with their consent, the writ petition is taken up for disposal at the admission stage.

2. This writ petition is filed questioning the action of the respondents in not taking action on the representation of the petitioners dated 02.07.2015, regarding unauthorized pandal raised on the 20 feet road on the northern side of petitioners property bearing H.No.10-3-16/11, Mehdipatnam, Humayun Nagar, Hyderabad, as illegal.

3. The petitioners allege that they purchased the property bearing H.No.10-3-16/11, Mehdipatnam, Humayun Nagar, Hyderabad, from one Ali Hussain through registered sale deed dated 05.09.2009 and on the northern side of the property there is a 20 feet approach road. The petitioners vendor's vendor obtained permission for construction of house and accordingly constructed an old house which now the petitioners intend to demolish and construct a new building. The said 20 feet road is the only approach road to the petitioners for ingress and egress. It is further alleged that the local residents have constructed a pandal/temporary structure on the road for installing of lord Ganesh Idol but failed to remove the same even after immersion of the idol. In spite of several requests to remove the same, there is no response from the local residents who have erected the same. It is also alleged that construction of pandal without any sanction from the respondents in the midst of the road is affecting the right of ingress and egress and if the unauthorized structures are not removed, it would be difficult for the petitioners to undertake construction as the said pandal is causing lot of obstruction. The petitioners submitted a representation on 02.07.2015 for removing the unauthorized pandal raised on 20 feet road, and also their intention to make new construction and erection of gate on the northern side of the subject property. But so far no orders are passed, by the respondents, this writ petition

is filed.

4. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondents to dispose of the representation dated 02.07.2015, submitted by the petitioners.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the respondents to consider the representation of the petitioners dated 02.07.2015, and pass appropriate orders as warranted under law within a period of six weeks from the date of receipt of copy of this order and communicate the decision to the petitioners. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

27th August, 2015.
Rds

P.NAVEEN RAO,J