

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**FRIDAY, THE TENTH DAY OF JULY TWO THOUSAND AND
FIFTEEN**

—

HON'BLE SRI JUSTICE P.NAVEEN RAO

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Between:

Sangam Dattaiah,
S/o. Late Swami,
Aged about 80 years,
D.No.2-61/4, Khajaguda Village,
Serilingampalli Mandal,
Ranga Reddy District.

.. Petitioner

AND

Greater Hyderabad Municipal Corporation,
Rep. by its Commissioner,
Circle XII, GHMC Serilingampalli Municipality,
Ranga Reddy District & 7 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.19978 of 2015

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ORDER:

The petitioner alleges that the respondents 3 to 7 have illegally encroached into the land of the petitioner and have made illegal construction of compound wall without obtaining due permissions. On the issue of illegal occupation and unauthorized construction of compound wall, several complaints are filed by the petitioner, but no action was taken compelling the petitioner to institute this writ petition. The petitioner sought for issuance of mandamus declaring the action of respondents 1 and 2 in not stopping the unauthorized construction of compound wall by respondents 3 to 7 by encroaching into the petitioner's part of land to an extent of Ac. 4.06 guntas in Survey No.131/1 of Khajaguda Village in Serilingampalli Mandal.

2. When the matter is taken up for consideration, learned Standing Counsel, on instructions, submits that having noticed unauthorized illegal construction of compound wall, notice under Section 452(1) of the Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act'), was issued on 23.05.2015. Since there was no response to the said notice issued, notice under Section 452(2) of the Act was issued on 26.02.2015. When the notices were refused to be received by the person available in the address given, the notices were pasted on the doors of the address given. The

respondent Corporation is in the process of taking further action as warranted by the provisions of the Hyderabad Municipal Corporation Act, 1955.

3. Learned counsel for the petitioner submits that the issue is pending for long time and that the respondent Corporation is not taking further steps, as warranted by law.

4. Having regard to the same, the Writ Petition is disposed of directing the respondent Corporation to take further course of action, as warranted by law, in pursuant to the notices issued by the respondent Corporation on 23.05.2015 and 26.05.2015 and in strict compliance of the provisions of the Hyderabad Municipal Corporation Act, 1955, as expeditiously as possible, within a period of six (6) weeks from the date of receipt of a copy of this order. 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: 10th July, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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