

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

WRIT PETITION NO.23189 of 2015

Between :

Md. Shoukath S/o.Sardar,
Aged about 45 yrs, Occu : Business,
R/o.H.No.4-6-86, Moghalpura,
Peddapalli Village & Mandal,
Karimnagar District & others

..

Petitioners

and

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

..

Respondents

DATE OF JUDGMENT PRONOUNCED : 27.07.2015

-
SUBMITTED FOR APPROVAL:

-

-

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-

-

-

1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO
WRIT PETITION No.23189 of 2015

ORDER :

Heard learned counsel for petitioners and learned Government pleader for Municipal Administration and Sri N. Praveen Kumar, learned standing counsel for Municipality 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 2 to 5 in not taking action on the representations of the petitioners regarding illegal constructions made by 6th respondent in house bearing No.4-6-88 & 4-6-89, Mogalpura of Peddapalli Village & Mandal, Karimnagar District, as illegal and for a consequential direction to take action against the 6th respondent.

3. Petitioners claim that they are the respective owners and residents of 10th Ward of Mogalpura of Peddapalli Village & Mandal, Karimnagar District. The grievance of the petitioners is that though 5th respondent granted permission for construction of house (G+2), the 6th respondent is deviating the sanctioned plan and without leaving any set back started construction. On noticing the same, petitioners have submitted a representation on 11.02.2015 to the 5th respondent requesting to take appropriate action against the 6th respondent. As the 5th respondent has not taken any action, the petitioners submitted representations to the 4th respondent on 26.02.2015 and 17.03.2015 enclosing a copy of the representation dated 11.02.2015. The 4th respondent vide letter dated 02.03.2015 directed the 5th respondent to initiate action against the 6th respondent as per rules and to submit a report. Even then the 5th respondent did not take any action. Thereafter

several representations were made by the petitioners, to the respective respondents, requesting to take action against the illegal constructions made by the 6th respondent. Since no action is being taken by respondents 2 to 5, the present 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 2 to 5 to expeditiously dispose of the representations dated 11.02.2015, 26.02.2015, 17.03.2015, 20.03.2015 and 28.04.2015 of the petitioners.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing respondents 2 to 5 to consider the representations of the petitioners dated 11.02.2015, 26.02.2015, 17.03.2015, 20.03.2015, 28.04.2015 afford reasonable opportunity to 6th respondent on the complaint of petitioners 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.

P.NAVEEN RAO,J

27th July, 2015.
Rds