

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

**WEDNESDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

-
WRIT PETITION No.27125 of 2015

Between:

Mudavath Kishan, S/o. Late Hariya,
Aged about 45 years, Occ: Business,
R/o. H.No.8-4-544/30, Shankarlal Nagar,
Erragadda, Hyderabad.

.. Petitioner

AND

The Greater Hyderabad Municipal Corporation,
Lower Tank Bund, Hyderabad,
Rep. by its Commissioner and
Special Officer & 3 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27125 of 2015

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ORDER:

This writ petition is filed questioning the action of respondents 1 to 3 in not taking any action by considering representation, dated 21.07.2015, against the 4th respondent for illegally constructing of building upon Plot No.27, Survey No.128/1, Sarathi Co-operative Housing Society by encroaching upon public road, as arbitrary and illegal.

2. Heard the learned counsel for petitioner and Sri P. Keshava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation for respondents 1 to 3 and with their consent, the writ petition is taken up for disposal at the stage of admission.

3. Petitioner claims to be the owner and in possession of house bearing Municipal No.8-4-371/B/166/Part, admeasuring 202 square yards on Plot No.26 in Survey No.128/1, situated at Borabanda, Erragadda, Yousufguda, Hyderabad. The petitioner submits that the 4th respondent, who is the owner of Plot No.27, which is situated to the southern side of the petitioner's house, started constructed in his plot and slowly encroaching the public road and abutting the plot. The petitioner submitted a representation to respondents 2 and 3 on 21.07.2015 about encroaching upon public road, but so

far, no action is taken thereon and the same is pending.

4. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to respondents 2 and 3 to expeditiously dispose of the complaint of the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing respondents 2 and 3 to consider the complaint of the petitioner, dated 21.07.2015, after affording reasonable opportunity to the 4th respondent, pass appropriate orders, as warranted by law, within a period of six (6) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. 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: 26th August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 26th August, 2015

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