

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

**MONDAY, THE THIRTY FIRST DAY OF AUGUST TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

–
WRIT PETITION No.27561 of 2015

Between:

B. Ashok Kumar,
S/o. Late B. Jayram,
Aged about 60 years,
Occ: Retd. Govt. Servant,
R/o.H.No.21-2-761/2,
Charkaman, Rikab Gunj,
Hyderabad – 500 002.

.. Petitioner

AND

The Grater Hyderabad Municipal Corporation,
Rep. by its Commissioner & Special Officer,
Near Tank Bund, Hyderabad & 2 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27561 of 2015

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ORDER:

In this writ petition, the petitioner alleges that the 3rd respondent, who is the opposite property owner, demolished the compound wall of the school and started illegal construction of commercial complex and mulgies without obtaining prior permission from the respondent Municipal Corporation and without leaving setbacks. The petitioner alleges that having noticed taking up such illegal construction by the neighbour, representations were submitted, but those representations are not acted upon and on the contrary, the 3rd respondent was proceeding to undertake the construction. Hence, this writ petition.

2. When the writ petition is taken up for consideration, learned Standing Counsel produced notice issued by the respondent Municipal Corporation on 28.04.2015 under Sections 452(1) & 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act').

3. In view of the steps already initiated, learned counsel for the petitioner submits that the writ petition be disposed of directing them to take further course of action, as warranted by law.

4. In view of the process already initiated, the grievance of the petitioner to an extent is attended to. Having regard to the fact that the process is already initiated under the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the respondents are directed to take further course of action, as warranted by law, by duly observing the procedural formalities and take appropriate action within a fixed time frame. The respondents shall also ensure that no illegal construction takes place without obtaining due permissions.

5. With the above observations, the Writ Petition is disposed of. It is made clear that there is no expression of opinion on merits and all the rights and entitlements of the party respondent are preserved. 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: 31st August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 31st August, 2015

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