

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26056 of 2015

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Dated : 18.08.2015

Between :

Md. Khalid Shareef S/o.Late Md. Ismail Shareef,
Aged 52 yrs, Occu : Business,
R/o.H.No.10-5-391/54/311 and A/B/C,
Syed Nagar No.2, MLA Colony,
Road No.12, Banjara Hills, Hyderabad.

.. Petitioner

and

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

.. Respondents

This court made the following :

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ORDER :

Heard learned counsel for petitioner and Sri P. Keshava Rao, learned Standing counsel for the Respondents 2 to 4 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 4 in not taking action on the representation of the petitioner dated 10.05.2015 regarding illegal constructions made by the respondents 5 and 6 and in not demolishing the illegal structures made in Plot No.336/A, MLA Colony, Road No.12, Banjara Hills, Hyderabad by encroaching into the public road, as illegal.

3. The petitioner is a resident of H.No.10-5-391/54/311 and A/B/C, Syed Nagar No.2, MLA Colony, Road No.12, Banjara Hills, Hyderabad. Opposite to the house of the petitioner there is a plot bearing No.336/A belonging to respondents 5 and 6. Recently the respondents 5 and 6 demolished the compound wall and encroached into 40 feet public road and started making constructions on the said plot. When the petitioner and other locality people questioned the same, the respondents 5 and 6 threatened them. The petitioner claims that if the respondents 5 and 6 are allowed to encroach into the public road, the road would get narrowed and there will be traffic congestion, as there was a mosque adjacent to the house of the petitioner. The petitioner sent a complaint to the 2nd respondent on 10.05.2015 through registered post with acknowledgment due. But so far no action has been taken by the respondent authorities and on the other hand the respondents 5 and 6 are proceeding with construction. He further claims that whenever a complaint is made regarding illegal constructions, the authorities have to act upon immediately. But as the respondent authorities failed to take action against the respondents 5 and 6, the petitioner was constrained to file this writ petition.

4. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondents 2 to 4 to expeditiously dispose of the representation dated 10.05.2015 submitted by the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the respondents 2 to 4 to consider the representation of the petitioner dated 10.05.2015 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 petitioner. The respondent authorities are directed to put the respondents 5 and 6 on notice, before passing the orders on the representation of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

18th August, 2015.
Rds

P.NAVEEN RAO,J