

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.25978 of 2015

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Dated : 18.08.2015

Between :

Sri Nagarjuna Cooperative Housing Society Limited,
Rep., by its Presidednt Dr. K.V.L.N. Raju,
S/o.Late Sri K.N. Raju, Aged 59 yrs, Occu : Business,
R/o.Plot No.933, Road No.47, Jubilee Hills,
Hyderabad-34.

.. 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 :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

Heard learned counsel for petitioner and Sri P. Keshava Rao, learned Standing counsel for the Respondents 2 to 6 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 6 in not taking action on the representations of the petitioner dated 16.06.2015 & 07.08.2015 regarding illegal constructions made by the 8th respondent and in not demolishing the illegal structures made in the premises bearing H.No.8-2-231/15/1, Panjagutta, Hyderabad, and also extending by encroachment and demolishing the compound wall of the petitioner-Society, as illegal.

3. The petitioner is a Co-operative Housing Society and the said society has purchased the property for lay out. The said Society has constructed compound wall immediately after the purchase in the year 1979 and has been in peaceful possession and enjoyment of the same. Subsequently, the petitioner society has obtained layout sanction on 24.01.1984 for 78 plots excluding land for roads and open spaces. The 8th respondent has started illegal constructions without obtaining permission from the Corporation of cellar, ground+ four upper floors in premises bearing H.No.8-2-231/15/1, abutting the petitioner society property, demolished a part of the compound wall of the society and encroached into the said land in order to have access to 40 feet road of petitioner society to have better prospects to the illegal structures raised by the 8th respondent. Alleging illegal construction the petitioner society has submitted a representation on 16.06.2015 to the 2nd respondent. As there was no response another representation was submitted on 07.08.2015. But so far no orders are passed. Aggrieved by the same, this 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 6 to expeditiously dispose of the representations dated 16.06.2015 and 07.08.2015 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 6 to consider the representations of the petitioner dated 16.06.2015 and 07.08.2015, and pass appropriate orders as warranted under law within a period of four 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 8th respondent on notice, before passing the orders on the representations of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P.NAVEEN RAO,J

18th August, 2015.

Rds