

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7386 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Honourable Court may be pleased to issue a Writ of Mandamus or any other appropriate declaring that the action of the 1st respondent in not taking any action of demolition against construction which is being made by the 3rd respondent in spite of representation of the petitioner dated 24.02.2016, is arbitrary and illegal and also declare that the action of the 3rd respondent in constructing the building in the land of the petitioner situated at Plot No.60 and 61, Sy.No.214 and 215 of Chawni Gulam Murtuza, Hyderabad and consequently direct the 1st respondent to demolish the illegal construction which is being constructed by the 3rd respondent in the said plot and grant such other relief as it deems fit in the circumstances of the case.”

It appears that the petitioner submitted his representation only on 24.02.2016 and filed this writ petition immediately thereafter on 25.02.2016. The petitioner would necessarily have to give some breathing time to the respondent authority to react and take appropriate action upon his representation. Without doing so, it is not open to the petitioner to complain of inaction on the part of the respondent authority.

The writ petition is therefore misconceived and is accordingly dismissed on this short ground. This order shall however not preclude the petitioner from taking recourse to legal action in the event there is any actual inaction on the part of the respondent authority.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

8th March, 2016
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