

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.2063 of 2016

27.01.2016

Between:

M.Nagaraju

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Revenue Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.A.Ushi Reddy

Counsel for respondent Nos.1, 4 and 5: Government Pleader
for Revenue (Assignment) (TS)

Counsel for respondent Nos.2, 9 and 10: Assistant Government Pleader
for Home (TS)

Counsel for respondent No.3: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for the other respondents:--

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the inaction of respondent Nos.4 to 10 in implementing G.O.Ms.No.923, Revenue (UC.II) Department, dated 01.08.1986, and ensuring that constructions are made by respondent Nos.11 to 14 as per the approved layout *vide* file No.6704/MP2/HUDA/84, dated 15.10.1988, over land admeasuring Acs.52.00 guntas in survey Nos.348, 349, 350, 351, 352 part, 357 part and 358 part situated at Abestos Hills Colony, Kukatpally, Hyderabad - 37, as illegal and arbitrary.

At the hearing, Mr.V.Narasimha Goud, learned standing counsel for the Hyderabad Urban Development Authority (HUDA) appearing for respondent No.8, raised a preliminary objection as to the maintainability of the writ petition on the ground that the petitioner had not disclosed his interest in the subject property. I find merit in this objection.

From the perusal of the averments in the affidavit filed in support of this writ petition, it is evident that except claiming that he is the absolute owner and possessor of house bearing No.5-5-35/332/1138/A in survey No.353/1, admeasuring 200 sq.yds., situated at AVB Puram, Kukatpally, Ranga Reddy District, the petitioner has not raised any whisper as to whether his personal interests are affected or he is espousing public cause. Even if illegal constructions are taking place in a private layout, the petitioner cannot avail the public law remedy for issuance of a *mandamus* unless he satisfies the test of *locus standi*. As the petitioner has failed to plead that the alleged illegal constructions are affecting his personal interests or public interest, he is not entitled to maintain this writ petition. On this short ground alone, the Writ Petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.2617 and 2618 of 2016 filed by the petitioner for interim reliefs shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

27th January, 2016
GHN