

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12655 of 2016

ORDER:

Heard Sri Mohd. Moinuddin, learned counsel for the petitioners, Sri P. Krishna Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation, and Sri Y. Rama Rao, learned Standing Counsel for the Hyderabad Metropolitan Development Authority.

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

“For the reasons stated in the accompanying affidavit, the Petitioner herein prays that this Hon’ble Court may be pleased to issue a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the inaction on the part of the Respondents in not responding to the series of Representations made in writing on 25-9-2002, 5-7-2004, 11-11-2004, 16-12-2004, 6-1-2005, 20-1-2005, 1-4-2005, 18-9-2006, 14-8-2015, and 30-11-2015 respectively and further reprehensions in oral during the years 2007 to 2014, not taking necessary action for either to stop, remove or demolish the illegal constructions, of commercial use raised by the purchasers residential Plots situated in the declared Urban area covered by Sy.No.5 of Saroonagar village and Mandal, L.B. Nagar Municipality Ranga Reddy District around the Saroonagar Commercial Complex as illegal, arbitrary and violative of the Principles of Natural Justice and violation of Articles 14, 19, 21 and 300(A) of the Constitution of India and further declare that the petitioners are entitled to compensation for the loss sustained due to the unauthorized conversion of the residential constructions into commercial ones and pass such other order or orders as this Hon’ble court may deem fit and proper in the circumstances of the case.”

Perusal of the affidavit filed in support of the writ petition reflects that no details are forthcoming as to the alleged illegalities in terms of the construction being made or use to which the subject lands are

being put to. In the absence of such details being mentioned in the affidavit, the petitioners would, in effect, be seeking only a roving enquiry, which is impermissible in law.

The writ petition is accordingly dismissed on this short ground. This order shall however not preclude the petitioners from filing a fresh case setting out the necessary details and seeking redressal of their grievance.

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

JUSTICE SANJAY KUMAR

18th April, 2016
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