

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 29574 of 2016

DATE: 01.09.2016

Between:

V. Rukmini Devi

.. Petitioner

And

The Union of India
and three others

.. Respondents



ORDER:-

The assertion of the petitioner is that she is the absolute owner and possessor of Plot No. 21 admeasuring 353 square yards or 295.10 square meters in Sy.Nos.342, 343 and 364 situated in Adyapaknagar, Teachers Colony, Gunrock, Secunderabad Cantonment wherein she constructed a house after obtaining permission from the 2nd respondent. While so, it is stated that the 3rd respondent has encroached the public road and 40% of the land belonging to Cantonment Board which are adjacent to the petitioner's house wherein he constructed a house and is also trying to construct a compound wall illegally and without any valid title and permission from the 2nd respondent. The petitioner made a representation dated 26.07.2016 to the 2nd respondent requesting him to take action against the 3rd respondent for his illegal constructions and lay public road as per layout plan as the road occupied by the 3rd respondent is a common property of the general public.

Now, the petitioner's grievance is that in spite of her representation dated 26.07.2016, the 2nd respondent has neither considered her representation nor taken any action against the 3rd respondent for illegal constructions made by him in the public property. Hence, the present writ petition is filed seeking appropriate directions.

The learned Standing Counsel for Cantonment Board appearing for the 2nd respondent has submitted that they will consider the representation dated 26.07.2016 made by the petitioner within the time that may be stipulated by this Court.

Keeping in view the averments made in the writ affidavit and the submission of the learned Government Pleader, this writ Court is inclined to dispose of the writ petition by directing the 2nd respondent to consider the representation dated 26.07.2016 said to have been made by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision that may be taken in writing to the petitioner within a period of three days thereafter. It is made clear that if the petitioner is still aggrieved by the action of the 2nd respondent, she may approach the appropriate forum.

With the above direction, this writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

01.09.2016

bcj