

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.9635 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is therefore prayed that the 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 illegal action officials respondents 2 to 4 where they failed to restrain the unofficial respondent proceed with the illegal construction on the property admeasuring 300 Sq. yards in Sy.No.121 of Kukatpally Village, Balanagar Mandal, Ranga Reddy District in pursuant to the representation of the petitioner dated 23.02.2016 is illegal, arbitrary and violation of the principles of natural justice and violation of Article 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondents 2 to 4 not to allow the 5th respondent to proceed with any further construction on the said property admeasuring 300 sq. yards in Sy.No.121 of Kukatpally Village, Balanagar Mandal, Ranga Reddy District, and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice.”

Ms. T. Kanya Kumari, learned counsel representing Mr. Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (GHMC), states that notice dated 26.11.2015 under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 , and order dated 05.12.2015 under Section 452(2) thereof were issued to one P. Rajendra Prasad in relation to the construction allegedly being made without permission. Though the unofficial respondent herein is shown as K. Narsi Reddy and not

P. Rajendra Prasad, Sri B.S.S. Prasad, learned counsel for the petitioner, fairly conceded that the suit filed by the petitioner was not only against the unofficial respondent herein but also against P. Rajendra Prasad and that the construction was being made jointly.

In that view of the matter, as the GHMC has already initiated necessary action in relation to the alleged illegal construction, this Court finds no inaction on the part of the respondent authorities

warranting interference by this Court.

The writ petition is accordingly closed.

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

JUSTICE SANJAY KUMAR

Date:23.03.2016

GJ/PGS