

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.11112 of 2016

ORDER:

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

“Hon’ble Court may be pleased to issue an appropriate Writ, Order or directions particularly one in the nature of Mandamus declaring that the inaction of Respondents 1 to 8 in not stopping unauthorized and illegal construction being carried on in premises No.11-2-555/ 557, Aghapura, Hyderabad, admeasuring 522 Sq.yards, bounded on East by Neighbours Property bearing No.11-2-555/ 1/A, West by Partly Neighbours property and Party Road, North by 20 feet wide Road, South by Neighbours Property, situated at Aghapura, Hyderabad, by the Respondent No.9 as illegal and consequently direct Respondents 4 & 5 to demolish the illegal and unauthorized construction made by Respondent No.9 in premises No.11-2-555/557, Aghapura, Hyderabad, admeasuring 522 Sq. Yards and pass such other order or orders.”

Though the petitioner complains of inaction on the part of the municipal authorities, the material placed on record indicates that the petitioner did not even make a complaint to the municipal authorities in the context of the alleged illegal construction being carried out by the unofficial respondent. It is not open to the petitioner to complain of inaction when he has not even approached the municipal authorities in the first instance.

The writ petition is misconceived and is accordingly dismissed. This order shall however not preclude the petitioner from approaching the municipal authorities with a complaint, if he so chooses.

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

JUSTICE SANJAY KUMAR

Date:06.04.2016

GJ