

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39391 OF 2016

DATED : 24.11.2016

Between :

Bharat Nagar Hut's Welfare Association,
Bharat Nagar, Musheerabad,
Regd.No.1309/2004, rep., by its General
Secretary, R.Anjaneyulu, S/o.Chintalappa,
D.No.1-6-8.30, Bharat Nagar huts, Musheerabad, Hyderabad
.. Petitioner

And

The State of Talangana,
Rep., by its Principal Secretary,
MA & UD Department,
Secretariat, Hyderabad & others.

.. Respondents



This court made the following :

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WRIT PETITION No.39391 OF 2016

ORDER :

This writ petition is filed praying to grant the following relief :

“to declare the action of the respondents in not taking action on the representations of the petitioner dated 27.03.2015 and 14.05.2015 for sanctioning drainage and water connections in Bharath Nagar, Musheerabad, Hyderabad as illegal, arbitrary and violation of Article 14 and 21 of the Constitution of India and consequently direct the respondents to sanction water and drainage connection in Bharath Nagar Huts, Musheerabad, Hyderabad.”

2. Heard Sri Suresh Kumar Potluri, learned counsel for the petitioner and Sri T.Sudhakar Reddy, Standing counsel for the respondents 2 and 3 and with the consent of both the counsel, the writ petition is disposed of.

3. Petitioner is a Welfare Association consisting of 42 families all of whom are residing in huts in Sy.No.182, T.S.No.3, Bharat Nagar, Musheerabad. According to the petitioner, the members of Association have applied for water and drainage connections and the Association has made representations to the respondent-Board. But so far no action is taken by the respondent-Board.

4. Learned Standing counsel, on instructions, submits that only four individuals have made applications for grant of such permission for provision of said facilities and their applications were rejected. He also placed the status report dated 17.11.2016 of the said applications. The affidavit filed in support of this writ petition is silent as to how many applications were made and the details of the applications are not furnished. Learned standing

counsel would therefore submit that it is not possible for the Board to verify the status of other applications and whatever information is furnished by the petitioner, they have verified and the status is now furnished to the Court.

5. As noted above, the applications submitted by the individuals, as noted in the representation submitted on behalf of the Association on 27.03.2015 are already considered and rejected and there is no information furnished with reference to filing of any other applications, no direction as sought for can be granted. Though, learned Standing Counsel disputes the status of the petitioner as an Association as well as the status of deponent to represent the Association and contends that only individuals can apply for the said provisions, but not an Association, I am not inclined to go into these issues, at this stage. Since, even according to learned standing counsel, four applications mentioned in the representation, submitted on behalf of the Association were already disposed of, the Respondent-Board is directed to communicate the copies of the decision already made, if not already communicated, within a period of ten (10) days from the date of receipt of copy of this order.

6. With the above observations, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

24th November, 2016
Rds