

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.18310 of 2016**

**ORDER:**

This writ petition is filed seeking issuance of *Mandamus* declaring the action of respondent Nos.1 to 8, more particularly respondent Nos.4 and 7, in not taking any action against respondent Nos.9 to 11, who are carrying unauthorized construction on the terrace of a complex bearing Municipal No.8-3-944/9, Mahboob Commercial Complex, situated at Ameerpet, Hyderabad, in deviation of Municipal sanction plan vide Permit No.207/24, dated 24.11.1988, besides running a Boys Hostel by respondent No.10 without obtaining Municipal permission, including creating law and order problem in spite of giving written complaints dated 07.09.2015 and 04.05.2016 by the petitioner, as arbitrary and illegal.

One Mr. Shaik Azeem, who was the father of the petitioner, is the owner of the property bearing Door No.8-3-944/9, admeasuring 253 square yards, situated at Yellareddiguda, Hyderabad. After the death of the petitioner's father on 24.08.2005, the said property devolved upon the petitioner and his brothers by way of partition. While so, the 9<sup>th</sup> respondent herein, who is the younger brother of the petitioner, along with respondent No.10, who is his tenant, is proceeding with the unauthorized construction on the terrace of fourth floor by

constructing fifth floor, contrary to the Municipal Sanction Plan. In spite of the petitioner giving complaints dated 07.09.2015 and 04.05.2016 to respondent Nos.4 to 7 as regards the unauthorized construction carried out by unofficial respondent Nos.9 to 11, there is no action by the official respondents against the unofficial respondents. Hence, the present writ petition.

Heard learned counsel for the petitioner as well as the learned Government Pleader for Municipal Administration and Urban Development Department, and also Sri P. Kesava Rao, learned Standing Counsel for the respondent – Corporation.

Though learned counsel for the petitioner raised various grounds in the writ petition, he has confined his relief to the extent of considering the representation dated 04.05.2016 made by the petitioner to respondent No.4 with regard to the unauthorized construction raised by respondent Nos.9 to 11.

In view of the above facts and circumstances and without going into the merits of the case, this writ petition is disposed of directing the respondent No.4 to consider the representation dated 04.05.2016 made by the petitioner and pass appropriate orders in accordance with law, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel, miscellaneous petitions pending, if any,

shall stand closed.

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**JUSTICE C. PRAVEEN KUMAR**

10.06.2016.

Msr

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