

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39458 OF 2016

DATED : 16.11.2016

Between :

B.Rama Kumar s/o.B.Venkataratnam Setty, Hindu,
60 years, Occ: Retired Employee, Residing at D.No.7-204,
Nehru Bazar, Madanapalli, Chittoor District.

... Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration and Urban Development Department,
Secretariat Building, Hyderabad & others.

... Respondents



This court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.39458 of 2016****ORDER :**

Petitioner claims that the builder, who is arrayed as the 4th respondent though obtained permission to construct stilt, cellar and five floors as a residential complex, converted the cellar and ground floor into commercial space and also constructed pent houses contrary to the building permission. On account of such illegal construction, grave prejudice is caused to the petitioner in the matter of parking vehicles and utilizing facilities as originally promised by the builder.

Alleging such illegal construction, on behalf of the petitioner, a legal notice was issued on 30.08.2016 to the 2nd respondent-Deputy Commissioner, Circle No.IX A. A reminder was also sent alleging that said complaint is not acted upon and petitioner is continuing to suffer. Hence, this writ petition is filed.

When the matter is taken up, learned Standing Counsel for Greater Hyderabad Municipal Corporation would submit that since a complaint is already filed, an appropriate response would be given to the petitioner and if any illegality is noticed, appropriate action will be taken and requested for disposal of the writ petition.

Learned counsel for the petitioner agreed with the same and sought a direction to consider the representation/notice already submitted, expeditiously.

Having regard to the said submissions, without expressing any opinion on merits and preserving the rights of the 4th respondent/builder, if any, the writ petition is disposed of, directing the 3rd respondent to consider the notice dated 30.08.2016 and the representation dated 07.11.2016 said to have been filed by the petitioner, examine the grievance and take such course of action as warranted by law, within six weeks from the date of receipt of a copy of this order and communicate the decision thereon to the petitioner. If the 3rd respondent is of the opinion that there are deviations by the builder, he may cause notice to the builder and a due opportunity may be given to him as warranted by law.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

16th November 2016.

P. NAVEEN RAO, J

Note :

Issue C.C. in three days.

(b/o)

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