

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.2165 of 2016

-
27.01.2016

Between:

Anil Rao

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.Vikay Pissay

Counsel for respondent No.1: Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.2 to 5: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the inaction of respondent Nos.2 to 4 in taking action against the illegal construction being raised by respondent No.5, as illegal and arbitrary.

At the hearing, Mr.N.Rishi Kumar, learned counsel representing Mr.N.Ashok Kumar, learned standing counsel for the Greater Hyderabad Municipal Corporation (GHMC) appearing for respondent Nos.2 to 4, on instructions, has submitted that on receipt of the petitioner's complaint, the officials of respondent No.2 have inspected the construction site of respondent No.5 and on finding that the construction is being raised without permission, respondent No.5 was orally instructed not to proceed with further construction and subsequently, a notice under Section 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 was issued on 19.01.2016. He has further submitted that on receipt of the explanation, if any, from respondent No.5, the Corporation will proceed further for removal of the illegal construction.

The above submissions of the learned counsel appearing for respondent Nos.2 to 4 are placed on record and the Writ Petition is disposed of, with the direction to respondent Nos.2 to 4 to take the notice, dated 19.01.2016, to its logical end and remove the construction, if it is found to have been illegally made by respondent No.5, after following due process of law.

As a sequel to disposal of the writ petition, W.P.M.P.No.2745 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27th January, 2016

GHN

