

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 24197 of 2016

Date :29.11.2016

Between :

Marepally Charan S/o M Vijaya Bhaskar Reddy
H No. 25-4-397, Vishnupuri, Kazipet, Warangal

Petitioner

And

The State of Telangana
Rep by its Principal Secretary,
Municipal & Urban Devp Department
Secretariat, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner alleges that his neighbor is undertaking construction of the building without observing the set-backs and while building construction is being made, water and other particles are falling into his premises and causing lot of nuisance and inconvenience to the petitioner. Explaining such difficulties faced by petitioner, complaint is made to the municipal corporation on 7.10.2015. Alleging that no action is taken on the complaint of the petitioner, this writ petition is filed.

As seen from the complaint, it was lodged on 7.10.2015 and the photographs filed along with the writ petition would disclose that the construction was nearing completion. Neither learned counsel for petitioner nor learned standing counsel, would state the present stage of the construction. On the contrary, learned standing counsel would submit that records concerning the said property could not be traced and therefore no action was taken.

It is not in dispute that complaint was filed by the petitioner on 7.10.2015 and so far no orders are passed on the said complaint. Having regard to the same, writ petition is disposed of directing the second respondent to consider the complaint filed by the petitioner, examine the grievance and pass appropriate orders as warranted by law. If the Commissioner is of the opinion that there are deviations or construction is made in violation of the building permission granted or laws governing the constructions in municipal corporation areas, he shall cause notice on third respondent, give due opportunity of hearing to third respondent and consider the objections of the petitioner as well as explanation of the third respondent and pass appropriate orders as warranted by law as expeditiously as possible, preferably within a period of three weeks from the date of receipt of copy of this order.

Accordingly, the writ petition is disposed of. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 29.11.2016
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