

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20600 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the respondents in not considering the petitioner's representations, dated 15.02.2017, following by reminders, dated 06.06.2017, seeking to remove the public toilets situated adjacent to the residence of the petitioner bearing H.No.12-1-1075, North Lalaguda, Secunderabad, which are not in use for the past 3 decades, as illegal and arbitrary and consequently, direct the respondents to forthwith remove the toilets which are not in use.

Heard and perused the material available on record.

It is the case of the petitioner that he is a resident of the above said premises and that about four decades ago, the erstwhile HMC constructed public toilets adjacent to his house. For the past three decades, the said public toilets are not put to use since the locality people constructed separate toilets of their own and therefore, the public toilets turned out to be in worsened state. Therefore, the petitioner submitted several representations to the authorities concerned to remove those public toilets as the same is in unhygienic condition.

Learned counsel for the petitioner mainly contended that though the petitioner submitted as many as four representations, the authorities concerned have not taken any action so far and that the respondents may be directed to consider the representations of the petitioner and pass appropriate orders within a specific period of time.

Learned Standing Counsel for the respondents 2 and 3 submitted that the respondents will consider the representations of the petitioner within a period of four (4) weeks.

Considering the submissions of the learned counsel for both sides, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with a direction to the respondents 2 and 3 to pass appropriate orders on the representations made by the petitioner.

Accordingly, the Writ Petition is disposed of directing the respondents 2 and 3 to consider the representations, dated 15.02.2017 and 06.06.2017 made by the petitioner, and pass appropriate orders within a period of four (4) 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.

June 23, 2017
KTL

RAJA ELANGO, J

