

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.13602 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the respondents 1 and 2 in not taking action against the illegal construction being carried out by the 3rd respondent in the premises bearing No.8-3-164/ A/ 14, Shankaral Nagar, Erragadda, Hyderabad, as illegal and arbitrary, and consequently, direct the respondents 1 and 2 to remove the illegal construction already carried on by the 3rd respondent and further to stop the 3rd respondent from carrying on the construction in the said premises.

Heard and perused the material available on record.

The case of the petitioner is that he is the incharge of Jung-E-Peer Erragadda Graveyard, and that there are residential houses near the graveyard. There is also a property belonging to the 3rd respondent in premises bearing No.8-3-164/ A/ 14 and the 3rd respondent is carrying out illegal construction in the said premises without following building bye-laws and norms laid down by the GHMC. The petitioner made several representations to the official respondents about the illegal construction being carried out by the 3rd respondent, but the officials have not taken any action. Therefore, the petitioner made an application under the Right to Information Act, for which the authorities have provided information stating that the 3rd respondent had obtained permission for construction of ground plus first floor only. The 3rd respondent is carrying out the construction illegally on a large scale, which is above the permitted floors.

Considering the nature of the grievance of the petitioner, the official respondents are directed to act upon the representations made by the petitioner and if the allegations made by the petitioner are true, necessary action shall be initiated against the unauthorized constructions.

Subject to the above, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 08, 2017

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