

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23722 of 2017

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of respondents 2 to 4 in not taking any action against the illegal constructions being made by the 5th respondent in violation of the Building Permission issued for Plot No.1/16, situated at Margadarshi Colony, Saroornagar Village and Mandal, R.R. District, despite repeated complaints of the petitioner, as illegal, arbitrary and violative of Article 14 of the Constitution of India, and consequently, direct respondents 2 to 4 to take appropriate action against the illegal constructions being carried out by the 5th respondent.

2. Heard learned counsel for both the parties and perused the material available on record. With the consent of the learned counsel for both the parties, the writ petition is taken up for disposal at the stage of admission.

3. It is the case of the petitioner that the petitioner is the absolute owner and possessor of land admeasuring 30 square yards, which is part and parcel of Plot No.1/18, in Survey No.8, situated at Margadarshi Colony, Saroornagar Village and Mandal, R.R. District, having purchased the same from one Smt. Renikuntla Rukmini, under a registered Sale Deed bearing Document No.1684 of 2010, dated 01.05.2010. While so, the 5th respondent, who owns the adjacent plot bearing No.1/16, started

construction over her plot, in complete deviation of the sanctioned layout plan and the building permit order and that the 5th respondent has also attempted to encroach into the land of the petitioner.

4. The main grievance of the petitioner is that the petitioner made a representation before the 3rd respondent on 20.06.2017, but so far, no action has been taken so far.

5. Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with the following direction:

The 3rd respondent is directed to consider the representation made by the petitioner, dated 20.06.2017, and take appropriate action, in accordance with law, regarding the unauthorized constructions alleged to have been made by the 5th respondent.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO,J

Date: 19th July, 2017

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202**THE HONOURABLE SRI JUSTICE RAJA ELANGO****WRIT PETITION No.23722 of 2017**Date: 19th July, 2017

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