

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18812 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioners seeking to declare the action of the respondents 2 and 3 in not stopping the encroachment of the passage and the unauthorized construction with respect to the steps and ramp by the unofficial respondents, as illegal and arbitrary, and consequently, direct the respondents to remove the steps/ structure and ramp made by the unofficial respondents.

Heard and perused the material available on record.

The case of the petitioner is that he is the owner of house bearing No.16-9-756/ 1/ A, Badam Galli, Race Course Road, Malakpet, Hyderabad, and he is in possession of the same. While so, the respondents 4 to 6, who possessed land on the eastern side of the petitioner's property, started construction without giving set backs or passages and without following rules and also by violating the sanctioned plan. Though the petitioner made objections, the respondents 4 to 6 did not give any response to him. Therefore, the petitioner made representation, dated 13.04.2017, to the 3rd respondent, but no action has been taken so far.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

The 3rd respondent is directed to consider the representation made by the petitioner, if any, and take appropriate action in

accordance with law regarding the unauthorized constructions alleged to have been made by the respondents 4 to 6.

With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

RAJA ELANGO, J

June 12, 2017

KTL

