

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19845 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to direct the respondents to pull down the illegal and unauthorized construction raised in property bearing M.No.18-1-350/ 22/ 161, situated at Gulshan E Iqbal Colony, Kanchan Bagh, Hyderabad, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that she is the absolute owner and possessor of the abovementioned property and the respondents 5 and 6 have started illegal and unauthorized construction in the property which is situated behind the property of the petitioner. The respondents 5 and 6 are carrying on the construction without any sanction plan and without leaving the mandatory set-backs as per the Municipal Corporation bye-laws. The petitioner submitted representations and complaints to the respondents 1 to 4 about the illegal construction being made by the respondents 5 and 6. Subsequently, the authority concerned, issued notices to the respondents 5 and 6 to remove the unauthorized constructions. But, the respondents 5 and 6 did not stop the work. The grievance of the petitioner is that though the respondents 5 and 6 did not stop their illegal construction, the official respondents have not taken any steps to stop the said illegal construction.

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 respondents 1 to 4 are directed to take appropriate action in accordance with law regarding the illegal and unauthorized constructions alleged to have been made by the respondents 5 and 6.”

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

June 19, 2017

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RAJA ELANGO, J

