

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39852 OF 2012

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the inaction of the first respondent on petitioner's complaint dated 10.12.2012 in not stopping the illegal construction being made by the third respondent without Municipal permission without leaving any set-backs etc., in her plot No.21, at D.No.56/89-R, situated at Khandari Street Fort, Kurnool, as illegal and arbitrary, and in violation of the provisions of the Hyderabad Municipal Corporation Act and Revised Building Rules 2008 and consequently direct the respondents 1 and 2 to demolish the illegal construction made by the third respondent in her plot No.21, at D.No.56/89-R, situated at Khandari Street Fort, Kurnool in the interest of justice.

Heard and perused the material.

Learned Standing Counsel for the Hyderabad Municipal Corporation, on instructions, submits that the first respondent has not forwarded any building proposals to the second respondent and that the second respondent has not accorded any technical approval to the third respondent.

Considering the facts and circumstances of the case, the writ petition is disposed of with a direction to the respondents to consider the complaint of the petitioner and follow due process of law while according building permission to the third respondent.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.01.2017
pln