

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.24371 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 & 3 in not taking appropriate action on the complaint filed by the petitioner on 20.04.2017 and on 04.05.2017 on the illegal construction being taken up by the 4th respondent in the passage leading to the plot of the petitioner bearing No.42/P in Survey No.132, Boduppall, Ranga Reddy district, as being arbitrary and illegal offending the rights of the petitioner guaranteed under Articles 14, 21 and 300A of the Constitution of India and to consequently direct respondents 2 & 3 to forthwith remove the illegal construction made by the 4th respondent without any permission.

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

3. The case of the petitioner is that the petitioner is the owner of open plot in Survey Nos.133 & 140 while his wife is the owner of house plot bearing Plot No.42/P, in Survey No.132, Boduppall, Ranga Reddy District, being purchased by them under registered sale deed from their predecessor in title and their names were also incorporated in the revenue records. While so, the 4th respondent is proceeding with the construction without any permission by violating the judgment and decree passed in

O.S.No.167 of 2016, dated 27.01.2017, on the file of the II Additional Junior Civil Judge, Ranga Reddy District, and that there is a threat of losing the property belonging to the petitioner. The petitioner made complaints, dated 20.04.2017 and 04.05.2017, before the respondent authorities. But no action has been taken so far.

4. 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 respondent authorities are directed to consider the complaints, dated 20.04.2017 and 04.05.2017, made by the petitioner and take appropriate action, in accordance with law, regarding the unauthorized constructions alleged to have been made by the 4th respondent.

5. 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: 24th July, 2017

KL

21**THE HONOURABLE SRI JUSTICE RAJA ELANGO****WRIT PETITION No.24371 of 2017**Date: 24th July, 2017

KL