

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.17608 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the inaction of respondents 2 to 4 in considering the representation, dated 24.04.2017, to respondents 2 & 3 and a representation, dated 28.04.2017, to the 4th respondent by the petitioners against the illegal and unauthorized constructions undertaken by respondent Nos.5 to 8 in respect of land in Survey No.36, bearing Municipal H.No.18-8-223/79, admeasuring 93.0 square yards, situated at Riyasathnagar, Hyderabad, as illegal and arbitrary and consequently direct respondents 2 to 4 to act and take immediate action for the representation, dated 24.04.2017, to the 2nd respondent and dated 28.04.2017, to the 4th respondent by the petitioners to prevent the illegal and unauthorized constructions being made by respondents 5 to 8 in respect of the Municipal H.No.18-8-223/79, admeasuring 93.0 square yards, situated at Riyasathnagar, Hyderabad, and to remove the construction, if any, made by respondents 5 to 8.

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

3. The case of the petitioners is that the 2nd petitioner is the owner of the land in Survey No.36, admeasuring to an extent of Ac.6.09 guntas and the 1st petitioner is the very neighbour of the said property. It is further case of the petitioners that respondents 5 to 8 have started leveling the land in Ward No.18, Block No.8,

H.No.18-8-223/87/2, admeasuring 93.0 square yards, situated at Riyasathnagar, Hyderabad, without obtaining any permission from the municipal authorities by creating some forged and fictitious documents and started construction unauthorizedly over H.No.18-8-223/87/2, which is not in existence in the municipal records.

4. The main grievance of the petitioners is that the petitioners have submitted a representation, dated 24.04.2017, to the respondent authorities with regard to the unauthorized constructions being made by respondents 5 to 8, but so far, no action is taken by the respondent authorities and the same is pending.

5. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the respondent authorities to expeditiously dispose of the representation of the petitioners.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the respondent authorities to consider the representation of the petitioners, dated 24.04.2017, pass appropriate orders, as expeditiously as possible, as warranted by law, regarding the unauthorized constructions alleged to have been made by respondents 5 to 8. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 3rd July, 2017
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