

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION Nos.8390 and 40773 of 2017

COMMON ORDER.

Writ Petition No.40773 of 2017 is filed seeking the following relief:

“.... to declare the inaction of respondent Nos.3 and 4 in not taking steps on the petitioner's representation and complaint dated 25.11.2017 in relation to the illegal construction being undertaken by the 5th respondent at premises house bearing No. 8-1-423/A/182, Diamond Hills, Shaikpet village, Golconda Mandal, Hyderabad, as being illegal and arbitrary and contrary to the orders passed by this Hon'ble Court in WPMP No.10387/ 2017 in W.P. No. 8390 of 2017 dated 10.03.2017 as illegal and arbitrary by issuing a writ or direction more particularly in the nature of writ of *Mandamus*.”

I have heard learned counsel for the petitioner, Mr. Sampath Prabhakar Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation, appearing for respondent Nos.2 to 4.

As this Court is inclined to dispose of the Writ Petitions at the stage of admission, no notice to respondent No.5 is necessary in the considered view of this Court.

Learned counsel for the petitioner would submit as follows: The respondent No.5 is making illegal and unauthorised constructions on her premises bearing House No.8-1-423/A/182, Diamond Hills, Shaikpet Village, Golconda Mandal, Hyderabad. When no action was taken despite the representation, dated 25.11.2017, of the petitioner, she filed Writ Petition No.8390 of 2017 before this Court. In that Writ Petition, the then learned Standing Counsel for respondent Nos.2 to 4 made a submission that on taking note of the complaint of the petitioner against respondent No.5, proceedings have been initiated and that notices have already been issued and that action would be taken in accordance with law. Recording the said submission, this Court closed WPMP.No.10387 of 2017 filed in the said Writ Petition. The said Writ Petition is coming along with Writ Petition No.40773 of 2017. As no further action was taken despite the said submissions made by the then learned Standing Counsel before this Court in the afore-stated Writ Petition, the aggrieved petitioner filed Writ Petition No.40773 of 2017.

Learned Standing Counsel, on instructions, would submit that on 04.12.2017, a notice under Section-636 of the Greater Hyderabad Municipal Corporation Act, 1958 was given to

respondent No.5 and that on 08.12.2017, demolition work has been taken up and that a part of the property of respondent No.5, which is unauthorisedly and illegally constructed, was demolished. He also produced photostat copies of the colour photographs showing the demolition work undertaken by respondent Nos.2 to 4.

In that view of the matter, both the Writ Petitions are disposed of directing the official respondents to take further action in the matter against the illegal and unauthorised constructions made by respondent No.5 in the subject premises in strict accordance with the procedure established by law and reserving liberty to the petitioner to approach this Court if necessary. No costs.

As a sequel, the Miscellaneous Petitions, if any, pending shall stand dismissed.

JUSTICE M.SEETHARAMA MURTI

11th December 2017

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