

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.676 of 2012

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the inaction of the 3rd respondent in not restraining the 4th respondent from his illegal acts of making illegal construction over the property of the petitioner bearing Plot No.3, admeasuring 266 square yards, in Survey No.100 of Sainagar Colony, Mansoorabad Village, Saroornagar Mandal, R.R. District, as illegal and arbitrary and consequently issue directions to respondents 1 to 3 to demolish the illegal construction made by the 4th respondent over the said property of the petitioner.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the absolute owner of the property bearing Plot No.3, admeasuring 266 square yards in Survey No.100 of Sainagar Colony, Mansoorabad Village, Saroornagar Mandal, Ranga Reddy District under registered Sale Deed bearing Document No.9304/1979 and the petitioner has been in possession and enjoyment of the said property since the date of purchase. It is further submitted that during December, 2010, when the petitioner visited her plot, she found that some unknown persons making construction activities over her plot and immediately when the petitioner tried to stop them from their illegal activities, the husband of the 4th respondent, who is working as Inspector of Police, A.P. Police, has threatened the petitioner with dire consequences and that aggrieved by the same, the petitioner approached the 3rd respondent and informed about the same to the 3rd respondent, but the 3rd respondent, who is hands-in-glove with

the 4th respondent, helped the 4th respondent to complete the illegal construction in the subject property of the petitioner.

The main grievance of the petitioner is that the petitioner applied, under R.T.I. Act for issuance of certified copies of the relevant documents submitted by the 4th respondent for obtaining permission or construction and the relevant proceedings of the M.C.H. etc., but the 3rd respondent did not furnish any information.

Learned counsel for the petitioner submitted that the petitioner did not file any other writ petition or any other application before any other Court or authority and no such petition or application is pending before any other Court of law with the subject matter of this writ petition.

Considering the said facts and circumstances and since the petitioner has not submitted any application before any authority, the Writ Petition is disposed of with the following direction:

The petitioner is directed to give a representation to the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad (2nd respondent), if she so desires, informing her grievances to the 2nd respondent herein and on such representation, the 2nd respondent is directed to dispose of the same, as expeditiously as possible, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, in this writ petition, shall stand closed.

RAJA ELANGO,J

Date: 22nd February, 2017

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