

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42214 OF 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the respondents 1 and 2 in not considering the representation dated 05.12.2015 and 04.12.2015 made by petitioner for demolition of illegal structures raised by 3rd respondent in Premises bearing No.17-1-383/ 78/ A in Vinay Nagar Colony, Saidabad, Near IS Sadan, Hyderabad, as illegal and arbitrary, and consequently, direct the respondents 1 and 2 to forthwith act upon the representations of the petitioner.

Heard and perused the material available on record.

It is the case of the petitioner that he is permanent resident of F.No.201 of Eternal Apartments, Vinay nagar Colony, Saidabad, Hyderabad. The 3rd respondent, who is the neighbour of the petitioner, started making construction in her property, by covering set backs. Therefore, the petitioner made complaints to the Grievance Cell of the 1st respondent and also made a detailed representation to the 1st respondent. Since no action was taken by the 1st respondent, the petitioner approached this Court and filed WP No.25774 of 2015 and this Court while disposing of the said writ petition directed the 1st petitioner to consider the representation of the petitioner within four weeks after affording an opportunity to the 3rd respondent. As the 1st respondent did not comply with the direction of this Court in the said writ petition, the petitioner filed contempt case in which the 1st respondent filed counter affidavit stating that the house number of the 3rd respondent, mentioned by the petitioner in his representation, is not existing in that

area and hence, the complaint of the petitioner was rejected. Therefore, this Court closed the contempt case directing the petitioner to take corrective measures. Then, the petitioner filed fresh representations on 04.12.2015 and 05.12.2015 to the respondents 1 and 2. But, no action has been taken by the respondents 1 and 2 so far. Hence, this writ petition.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The respondents 1 and 2 are directed to consider representations, dated 04.12.2015 and 05.12.2015, made by the petitioner, and take appropriate action in accordance with law regarding the alleged unauthorized constructions, within a period of eight (8) weeks from the date of receipt of a copy of this order.”

With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

June 30, 2017
KTL