

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20740 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the 2nd respondent in not taking action on the petitioner's notice, dated 26.05.2017, in respect of the illegal and unauthorized construction of football ground at Plot No.588, Road No.32, Hyderabad in the residential area/ zone by the 3rd respondent, as illegal and arbitrary, and consequently, direct the 2nd respondent to demolish the illegal and unauthorized construction of football ground.

Heard and perused the material available on record.

The case of the petitioner is that he is resident of House bearing Plot No.596, Road No.32, Jubilee Hills, Hyderabad. The 3rd respondent is the owner of Plot No.588, Road No.32, Jubilee Hills, Hyderabad. The 3rd respondent, without obtaining any permission/ approval from the 1st respondent, started illegal construction of football ground with eateries in the month of January 2017. The 3rd respondent also violated the zoning regulations and changed the use of plot from residential to commercial zone. If the construction of football ground is allowed in the said plot, it may cause noise pollution and nuisance and the residents of the locality may be suffered with lot of inconvenience. Therefore, the petitioner and the other residents of the locality issued notice, dated 26.05.2017, to the 2nd respondent informing about the illegal construction of foot ball ground by converting the residential zone into commercial zone by the 3rd respondent and also the inconveniences suffered by the locality people and requested to take action against the said illegal construction. But, the 2nd respondent has not taken any

action and has not taken any steps to stop the illegal construction of the 3rd respondent.

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 2nd respondent is directed to consider the complaint, dated 26.05.2017, made by the petitioner and others, 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.

June 27, 2017
KTL

RAJA ELANGO, J

