

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8385 of 2017

ORDER:

Heard the learned Counsel for the petitioner and Sri Pasam Krishna Reddy, learned Standing Counsel for respondent Nos.2 and 3.

The prayer in the Writ Petition is inaction of respondent Nos.2 and 3 with respect to complaint said to have been made by the petitioner on 14.02.2017.

It is the case of the petitioner that respondent No.4 is making construction without obtaining any permission.

A perusal of the writ affidavit does not disclose whether any effort has been made by the petitioner either under the Right to Information Act or had approached the authorities concerned to ascertain whether respondent No.4 had obtained any permission or sanction for making construction. Without obtaining necessary information, the petitioner filed representation dated 14.02.2017 and approached this Court immediately thereafter by filing writ petition i.e. within a short period of three weeks. In other words, what the petitioner expects is, this Court should enquire whether respondent No.4 has obtained any permission or not for making construction. In as much as the petitioner has not exercised due diligence in

ascertaining whether respondent No.4 has obtained any permission or not, the Writ Petition is not maintainable.

The Writ Petition fails and is accordingly dismissed. However, liberty is given to the petitioner to approach the authorities concerned to ascertain whether any permission was granted to respondent No.4 for making construction, and take legal proceedings in the event the action of respondent No.4 is otherwise impermissible.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 13.03.2017
usd

