

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20546 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the inaction of respondents 2 and 3 in allowing the 5th respondent to make unauthorized construction G + 5 floors at property bearing H.No.6-1-198 & 199, admeasuring 140 square yards, situated at Old CIB quarters, Khairatabad, Hyderabad, as illegal and arbitrary.

Heard and perused the material available on record.

The petitioners are the residents of Old CIB Quarters, Khairatabad, in H.Nos.6-1-787 and 6-1-190, respectively. The 5th respondent, who is a builder, is making construction of a building with ground + five floors in the same locality in property bearing H.No.6-1-198 and 199, admeasuring 140 square yards, without obtaining any permission from the Municipal Authorities. The grievance of the petitioners is that the 5th respondent is constructing high raised building in the small lane, with an intention to use the same for commercial purpose, without any valid permission and without following the GHMC norms and also without leaving any set backs. If the said building is constructed, there will be lot of problems such as parking and also water problem. Therefore, the petitioners submitted representation, dated 26.09.2016, to respondents 3 and 4 requesting them to take action against the 5th respondent for the illegal construction being undertaken by him. But, no action has been taken so far.

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

“The official respondents are directed to consider representation, dated 26.09.2016, made by the petitioners, 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 30, 2017
KTL

RAJA ELANGO, J

