

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.14706 of 2017

ORDER:-

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent Nos.1 and 2 in stopping the 3rd respondent from making unauthorized construction or in taking any action against 3rd respondent as illegal, arbitrary, against the building regulations and the same being violative of Articles, 14, 19, 21 of the Constitution of India and direct the respondent Nos.1 and 2 to take action against the respondent No.3 pursuant to the representation dt.09-03-2017, for illegal and unauthorized construction made/proposed to be made by respondent No.3, in the interest of justice.”

2. The grievance of the writ petitioner is that it is the occupier and possessor of a building with No.489, Road No.12, Banjara Hills, Hyderabad, and that in the property adjacent to its building, the 3rd respondent is making illegal constructions and that on the complaint of the petitioner, steps for demolition were earlier taken by the 2nd respondent-Greater Hyderabad Municipal Corporation and that thereafter, the 3rd respondent has again started making constructions and that in that regard a representation, dated 09.03.2017, was submitted by the petitioner to the 2nd respondent, but no action has been taken so far as per law and procedure. Hence, the writ petition is filed.

3. I have heard the submissions of the learned counsel for the petitioner and of Sri P. Kesava Rao, learned Standing Counsel for the

Greater Hyderabad Municipal Corporation representing the 2nd respondent. I have perused the material record.

4. Learned counsel for the petitioner would submit that the grievance of the writ petitioner would be redressed if a direction is given to the 2nd respondent to consider the representation, dated 09.03.2017, of the petitioner and pass appropriate orders in strict accordance with the procedure established by law and action is initiated by the respondents 1 and 2 against the illegal constructions being made by the 3rd respondent as per law and procedure.

5. Sri P. Kesava Rao, the learned Standing Counsel, would submit that if a direction is given to dispose of the representation of the petitioner, dated 09.03.2017, the respondents will take appropriate action, in accordance with law.

6. Recording the said submissions, the Writ Petition is disposed of directing the 2nd respondent to consider and dispose of the representation, dated 09.03.2017, of the petitioner in strict accordance with the procedure established by law, as expeditiously as possible and preferably within one (1) month from the date of receipt of a copy of this order.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M. SEETHARAMA MURTI, J

Date: 24th April, 2017
KL

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI



WRIT PETITION No.14706 of 2017

Date: 24th April, 2017

KL