

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.13259 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, by the petitioner seeking to declare the action of respondents 3 & 4 in not initiating any action against the illegal construction activity of the 5th respondent as illegal and arbitrary and consequently direct respondents 3 & 4 to initiate the action against the 5th respondent for illegal construction without proper permission and without leaving set back required as per the norms at house bearing No.16-9-752/2, Badam Gali, Old Malakpet, Hyderabad.

2. Heard both sides and perused the material available on record.

3. It is the case of the petitioner that he is the owner of property bearing Old No.18-7-884 and New No.16-9-751, admeasuring about 596 square yards. The main grievance of the petitioner is that the 5th respondent, who is residing on the northwest side of the petitioner's house, is raising illegal construction without obtaining any permission for construction of the house and started digging for pillars. The petitioner made representations, dated 25.03.2017 & 31.03.2017, to the 3rd respondent, but so far no action is taken against the 5th respondent.

4. 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 3rd respondent is directed to consider the representations made by the petitioner, dated 25.03.2017 & 31.03.2017, and take appropriate action, in accordance with law, regarding the unauthorized constructions alleged to have been made by the 5th respondent.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 13th June, 2017

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