

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.38608 of 2017

ORDER:

This writ petition is filed seeking the following relief:

“to issue a writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the action of the official respondents in not taking any action on the representation made by the petitioners on 10-11-2017 with regard to the illegal construction being carried out by the respondents 4 and 5 in an extent of 600 sq. yards in Survey No.24, situated at Kuntloor Village, Hayathnagar Mandal, (now Abdullapurmet Mandal), Ranga Reddy District, as being arbitrary, illegal, unreasonable, contrary to the provisions of the Municipalities Act, apart from being contrary to the valuable property rights of the petitioners and issue a consequential direction directing the official respondents not to allow any illegal construction or construction without permission over the above said land with a further direction to consider and dispose of the representation of the petitioners dated 10-11-2017 and pass such further order or other orders.”

The grievance of the writ petitioners is that respondents 4 and 5, in spite of a title dispute with regard to the property to an extent of 600 square yards situated in Survey No.24, Kuntloor Village, Hayathnagar Mandal (now Abdullapurmet Mandal), Ranga Reddy District, are proceeding with the constructions illegally and highhandedly, even without obtaining permission and approved plan from the third respondent – Nagar Panchayat, and that despite the representation, dated 10.11.2017, of the petitioners, no action has been taken by respondents 1 to 3 to stop the illegal constructions.

Sri N. Praveen Kumar, learned Standing Counsel appearing for the third respondent, would submit that respondents 4 and 5 already made an application online for permission but, due to server problem, the said application could not be processed. However, he does not dispute the

fact that there is no permission as on date for the constructions being made by respondents 4 and 5 in the subject property.

Having regard to the submissions, the writ petition is disposed of directing the third respondent to consider and dispose of the representation, dated 10.11.2017, of the petitioners within two weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioners within a week thereafter. It is needless to state that the third respondent shall not permit respondents 4 and 5 to make any further constructions in the subject property till they obtain permission/approval of plan.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date: 16.11.2017
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M. SEETHARAMA MURTI, J

