

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.34984 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit the petitioner prays this Honourable Court may be pleased to issue an appropriate Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents No. 2 to 5 in not taking action against the illegal and unauthorized constriction of the building bearing H. No. 21-4-659, Gubalabsingh Bowli, Hyderabad, as illegal and ultra virus to Articles 14, 21 and 300-A of the Constitution of India beside being in violation of the provisions of the Hyderabad Municipal Corporation Act and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *Shaik Khalid*, learned counsel appearing for the petitioner, the learned Government Pleader, for Municipal Administration and Urban Development, appearing for the 1st respondent, and of Sri *N.Ashok Kumar*, learned Standing Counsel, appearing for the respondents 2 to 5. I have perused the material record.

3. At the hearing, learned counsel for the petitioner submits that if the representations, dated 01.08.2017, 28.08.2017 and 21.09.2017, of the petitioner are considered and disposed of by the Zonal Commissioner, Central Zone, Greater Hyderabad Municipal Corporation, Khairatabad, Hyderabad, 3rd respondent herein, the ends of justice would be met.

4. Learned Standing Counsel appearing for the respondents 2 to 5 endorses the said submission.

5. Having regard to the facts and submissions, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the representations, dated 01.08.2017, 28.08.2017 and 21.09.2017, of the petitioner, in strict accordance with procedure established by law, however, within a period of four (04) weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioner within a week thereafter. In the meanwhile, if it is noticed by the respondent authorities that the constructions being made by the 6th respondent are illegal and unauthorised and are in deviation of the building permit, if any, the respondent authorities shall initiate appropriate action against such constructions of the 6th respondent, in strict accordance with procedure established by law; and the 6th respondent is directed not to make any constructions either without any building permit or in deviation of the building permit, if any.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 11th December, 2017

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