

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.38508 of 2017

ORDER:

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

“...to issue any writ, order or direction more particularly one in the nature of writ of mandamus to declare the action of the official respondent No.2 in not considering the representation of the petitioner dated 23-08-2017 made against the illegal and unauthorised construction being made by the Respondent No.4 in premises bearing Plot Nos.102/B1 and 102/B2 each admeasuring 78 sq yards in Survey No.134/20, situated at Ward No.8, Block No.1, Shahstripuram Cooperative Society, Meer Sagar, Hamlet of Mailardevpally under GHMC Circle No.VI, Rajender Nagar Mandal, Ranga Reddy District as illegal, arbitrary, without right and title, against the principles of natural justice and in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondent No.2 to stop the illegal and unauthorised construction being raised by Respondent No.4 in the petitioner's property, in the interests of justice and pass such other order or orders as deemed fit and proper in the circumstances.”

2. Heard *Sri V.Durga Nageswara Rao*, learned counsel appearing for the petitioner, and *Sri N.Ashok Kumar*, learned Standing Counsel appearing for the 2nd respondent Corporation.

3. At the hearing, learned counsel appearing for the petitioner, while bringing to the notice of this Court an interim order, dated 21.02.2013, passed in WPMP No.6481 of 2013 in W.P.no.5198 of 2013, would submit that if the representation, dated 23.08.2017, is considered and disposed of by the concerned authority of the 2nd respondent Municipal Corporation, the grievance of the petitioner would be redressed.

4. Learned Standing Counsel appearing for the 2nd respondent Corporation, on instructions, would submit that, when an inspection was made, it is noticed that the construction of a house was already made in the subject property. He would also submit that there is another connected writ petition in W.P.No.38511 of 2017 filed and pending before this Court.

5. Recording the said submission, the Writ Petition is disposed of directing the Deputy Commissioner of the 2nd respondent Corporation to consider and dispose of, in strict accordance with the procedure established by law, the representation, dated 23.08.2017, submitted by the petitioner, The said exercise shall be completed within four weeks from the date of receipt of a copy of this order and the decision taken thereon be communicated to the petitioner within one week after taking such decision.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

15th November, 2017
RAR

M. SEETHARAMA MURTI, J