

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.39408 of 2017

ORDER:

This writ petition is filed seeking the following relief/s:

‘....to issue Writ or order or direction more particularly one in the nature of Writ of Mandamus by declaring the inaction on the part of the respondent Nos.2 to 7 as illegal, arbitrary and contrary to the rules of construction, infringing the rights of the petitioners under Articles 14, 21 of the Constitution of India and further direct the respondent Nos.2 to 7 to demolish the illegal constructions made by the respondent No.8, further direct the respondent Nos.2 to 7 to restrain the 8th respondent from making any unauthorised construction in further in the interest of justice and to pass such other order or orders...’

I have heard the submissions of the learned counsel for the petitioners and the learned standing counsel representing the respondents 2 & 3. I have perused the material record.

The grievance of the writ petitioners is this: - ‘The 8th respondent is making unauthorised constructions in a public property by grabbing the same; earlier when a complaint was given such constructions were demolished by the officers of the GHMC; again the 8th respondent is making the subject constructions and is also illegally tapping electricity and drawing power through unauthorised wires; when a representation is made, on 03.11.2017, no action has been taken by the respondents.’

At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents to consider and

dispose of the afore-stated representation of the petitioner, ends of justice would be met.

Learned standing counsel would submit that the representation is given recently and that if a direction is given to dispose of the same within a reasonable time the respondents would do so.

Recording the afore-said submissions, the Writ Petition is disposed of directing the Assistant City Planner, Old Circle No.7, GHMC, Hyderabad, to consider and dispose of the representation, dated 03.11.2017, of the petitioner within four (04) weeks from the date of receipt of a copy of this order, however, in accordance with the procedure established by law and communicate the decision taken thereon to the petitioner within a week thereafter. In the event if it is noticed/found that the subject property where the 8th respondent is making constructions is a public property and/or the 8th respondent is making subject constructions without any building permit or in deviation of building permit, if any, the respondents are directed to stop the 8th respondent from making any such constructions.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

28.11.2017

Note: Registry is directed to communicate a copy of this order to the Assistant City Planner, Old Circle No.7, GHMC, Hyderabad.

[B/o]

Vjl