

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37326 OF 2017

ORDER:

The case of the petitioner is that he is the owner of the house bearing No.4-16 admeasuring 22 feet East to West and 12 feet north to south situated at Kistapur Village, Dhanwada Mandal Mahabubnagar and said house was constructed by his father. The petitioner has obtained permission from the respondents 4 and 5 on 06-06-2017 for the construction of house in open place on southern side of his house. Though respondent No.6 is no way concerned with the above property, he is constructing house in the open place of the petitioner without any permission. The petitioner raised objection on the illegal construction carried by respondent No.6 and he filed objection petition before respondent No.4 regarding illegal construction of respondent No.6. As no action has been taken, the petitioner also issued legal notice on 24-08-2017. In spite of the same, no action has been taken, aggrieved by the same, the petitioner filed appeal before the respondent No.3 on 23-09-2017. Aggrieved by the inaction on the appeal, the present writ petition is filed.

Heard learned counsel for the petitioner.

Sri G.Narender Reddy, learned Standing Counsel on instructions submits that respondent No.6 was granted permission and he is making constructions as per plan.

It is to be seen that if any unauthorized constructions are made by respondent No.6, respondent No.4 has to consider the

representation of the petitioner and take action. If the petitioner is aggrieved by the grant of permission to respondent No.6, it is open for the petitioner to challenge the same by filing appeal.

In view of the same, the writ petition is disposed of granting liberty to the petitioner to file appeal against illegal constructions and respondent No.4 is directed to consider the petition filed by the petitioner if any and take action accordingly. It is also open to the petitioner to make necessary application to respondent No.4 in case any deviations are committed by respondent No.6.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

14-12-2017
Nvl



