

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.41917 of 2017

ORDER:

This writ petition is filed seeking the following relief:

“..to issue a writ or order more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in not initiating any action and also not stopping illegal constructional activity carrying on by the 6th respondent over the petitioners landed property in Survey No.337/8 admeasuring 42 sq.yards situated at Sikh Chowni, Attapur village, Rajendranagar Mandal, Rangareddy District that too without there being any valid permissions from the respondents 3 to 5 inspite of petitioners written complaint dated 24-11-2017 as illegal, arbitrary, unjust and also against Article 300 A of Constitution of India and consequential directions to the respondent 2 to 5 to take immediate steps for stoppage of illegal constructional activity carrying on by the 6th respondent over the petitioners landed property covered by survey No.337/8 admeasuring 42 sq. yards situated at Sikh Chowni, Attapur village, Rajendranagar mandal, Rangareddy District forthwith and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioners and Sri N. Ashok Kumar, learned Standing Counsel for GHMC appearing for respondents 3 to 5. Perused material record.

3. The submissions and grievance of the writ petitioners are that the writ petitioners are the owners of the landed property of an extent of 42 square yards in Survey No.337/8 situated at Sikh Chowni, Attapur Village, Rajendranagar Mandal, Ranga Reddy District, and that the sixth respondent, without any right, title and interest in the said property, and without obtaining building permit and maintaining set backs, started making unauthorized and illegal constructions in the said property, and that though the petitioners submitted a written complaint to the official respondents, on 24.11.2017, the said respondents have not taken any action against the sixth respondent and hence, the writ petition is field.

4. Sri N. Ashok Kumar, learned Standing Counsel appearing for respondents 3 to 5, while stating that the dispute between the petitioners

and the sixth respondent is purely civil in nature, endorses the submission of the learned counsel for the petitioners.

5. Having regard to the facts and submissions, the writ petition is disposed of directing the Deputy Commissioner, Greater Hyderabad Municipal Corporation, to consider and dispose of the representation, dated 24.11.2017, of the petitioners, within four weeks from the date of receipt of a copy of this order, however, in strict accordance with procedure established by law, after affording an opportunity of hearing to the petitioners as well as the sixth respondent and communicate the decision taken thereon to the petitioners within a week thereafter.

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

Date: 15.12.2017
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M. SEETHARAMA MURTI, J

