

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.43342 OF 2017

ORDER:

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

“... to issue an appropriate writ, order or direction more particularly one in the nature of MANDAMUS Declaring the action on the part of Respondent Authorities in not taking action regarding illegal constructions making over on the Government Promboke Land situated adjacent to the petitioner House bearing No 13-72/20/A situated at Raghavendra Colony, Opp: N.P.A Bum Rukun ud dowl, Shivrampally, Rajender Nagar Mandal Ranga Reddy District having received the complaints 5-10-2017 and 15-3-2017 as being Illegal, Arbitrary, Capricious, Malafide, amounts to dereliction of duties, not only contrary to the various provisions of Greater Hyderabad Municipal Corporation Act but also contrary to G.O. Ms No 565 dated 4-11-2006, and Violative of Various Judgments rendered by this Honourble Court and pass such other order or orders as this Honourable Court may deem think fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. Learned counsel for the petitioner would submit as follows:

‘Adjacent to the property of the petitioner, bearing H.No.8-13-72/20/A situated at Raghavendra Colony, Opposite N.P.A. Bum Rukun Ud Dowla, Shivrampally, Rajender Nagar Mandal, Ranga Reddy District, there is a poramboke site. Some unknown persons started making illegal constructions in that Government land. Then the petitioner made a complaint, on 03.10.2016, against such illegal constructions being made by such persons. Thereafter, the construction activity was withheld. Again in the last week of September, 2017, some unknown persons

commenced some illegal construction work in a hectic manner. Therefore, the present Writ Petition is filed.'

3. Learned counsel for the petitioner would also submit that the persons, who are proceeding with illegal constructions in the Government land, are not disclosing their identity and that they are behaving in a highhanded and rude manner.

4. Learned Standing Counsel appearing for Greater Hyderabad Municipal Corporation representing respondent Nos.2 to 7 would submit that if the complaint of the petitioner is that the property, where the construction being illegally made, is a Government land, he must approach the revenue department, but not the municipality.

5. Learned counsel for the petitioner would submit that if a direction is given to respondent Nos.2 to 7 to consider and dispose of the representations, dated 15.03.2017 and 05.10.2017, of the petitioner, ends of justice would be met.

6. Having regard to the facts and submissions, the Writ Petition is disposed of directing respondent No.7 to consider and dispose of the representations, dated 15.03.2017 and 05.10.2017, of the petitioner in strict accordance with the procedure established by law, however, within a period of four 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.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

M.SEETHARAMA MURTI, J

December 26, 2017
MD