

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.40617 of 2017

ORDER:

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

‘to issue writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the Respondents No1 to 6 in not considering the Petitioner’s representation dated 18.08.2017 and legal notice dated 16.09.2017 to demolish illegal constructions undertaken by the respondents no.7 and 8 in the Petitioner’s property bearing Municipal No.4-7-16/1/16, in Plot No.3, at Ram Bagh, Attapur, Rajendranagar, and further direct the Respondent No.1 to 6 to forthwith demolish the illegal constructions being undertaken by the Respondents No.7 and 8 in the Petitioner’s Property bearing Municipal No.4-7-16/1/16, in Plot No.3, at Ram Bagh, Attapur, Rajendranagar, and pass such other order or orders.....’

2. I have heard the submissions of the learned counsel for the petitioner and of the learned standing counsel representing the respondents 2 to 6. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit as follows: ‘On the representation made by the petitioner against the illegal and unauthorised constructions being made by the respondents 7 & 8, a notice, dated 26.04.2017, was issued to the 8th respondent alone. No action has been initiated against the 7th respondent. Despite a reminder and a legal notice following the reminder, no action is being taken against the 7th respondent; further action is not being taken against the 8th respondent pursuant to the notice issued to him. Hence, if this writ petition is disposed of with appropriate directions to the 4th respondent, the ends of justice would be met.’

Learned standing counsel would submit that action has already been initiated by issuing a notice, dated 26.04.2017.

Having regard to the facts and submissions, the Writ Petition is disposed of directing the respondents to consider and dispose of the representation, dated 18.08.2017, receipt of which is acknowledged on 28.08.2017, within four (04) weeks from the date of receipt of a copy of this order, in strict accordance with the procedure established by law, however, after affording an opportunity of hearing to the petitioner as well as the respondents 7 & 8, and communicate the decision taken thereon to the petitioner within a week thereafter.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

04.12.2017
Vjl

JUSTICE M. SEETHARAMA MURTI

