

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41527 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking the following relief:

“For the reasons mentioned in the accompanying affidavit, the Petitioner herein prays that this Hon’ble Court may be pleased to issue a Writ of mandamus or any other appropriate Writ or Writs, Order or Orders declaring the action of official Respondents more particularly Respondent No.3 in not considering the Representations/Complaints Dated 14.11.2017 and 22.08.2017 submitted by the Petitioner to remove the illegal constructions of Respondent Nos.4 to 6 over the land admeasuring 221 sq.yds approximately in Sy.No.131/1, situated at Khajaguda Village, Serilingampally, Ranga Reddy District belongs to Petitioner as illegal, arbitrary, against to the law and consequently direct the Respondent No.3 to remove the illegal constructions over the above said property and pass such other and further orders which this Hon’ble Court deems fit and proper in the circumstances of the case and in the interest of justice.”

[Reproduced verbatim]

2. I have heard the submissions of Sri *P.Achutham Reddy*, learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, and of Sri *Sampath Prabhakar Reddy*, learned Standing Counsel representing the Greater Hyderabad Municipal Corporation, appearing for the respondents 2 & 3. I have perused the material record.

3. The grievance of the writ petitioner is that the respondents 4 to 6, without having any right or authority or a building permit, occupied the land admeasuring 221 square yards out of Ac. 2.17 guntas in Survey No.131/1, situated at Serilingampally Village and Mandal, Ranga Reddy District, and are proceeding with unauthorised

and illegal constructions and that despite representations, dated 22.08.2017 and 14.11.2017, the respondents 2 & 3 have not taken any action and, therefore, the present writ petition is filed.

4. At the hearing, learned counsel for the petitioner would submit that if the representations afore-stated are considered and disposed of by the respondents 2 & 3, the ends of justice would be met.

5. Learned Standing Counsel appearing for the respondents 2 & 3 endorses the said submissions.

6. Recording the submissions, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the representations, dated 22.08.2017 and 14.11.2017, of the petitioner, in strict accordance with procedure established by law, however, within a period of four (04) 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. In the meanwhile, the respondents 2 & 3 shall forthwith stop the illegal and unauthorised constructions, if any, being made by the unofficial respondents 4 to 6, either without a building permit or in deviation of building permit, if any, however, in accordance with procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 14th December, 2017

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