

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.40458 of 2017

ORDER:

The only grievance of the writ petitioner is this: 'The 6th respondent, who is his neighbour, having demolished the entire building constructed a ground plus first floor without obtaining building permissions from the authority concerned; such constructions were made without leaving set backs or open space; the 6th respondent also constructed toilets upto the boundary wall by deviating from the set backs which are to be left out; the said construction is causing nuisance and inconvenience to the petitioner, who is the owner of the adjacent residential building. Despite representations, dated 05.08.2017 and 19.08.2017, no action has been taken by the respondents 2 to 5 against such unauthorised and illegal constructions made by the 6th respondent.'

At the hearing, learned counsel for the petitioner submits that if the afore-said representations are considered and disposed of, the ends of justice would be met and the grievance of the petitioner would be redressed.

Learned standing counsel representing the respondents 2 to 5, while endorsing the submissions of the learned counsel for the petitioner, would further submit that from the photographs filed by the petitioner, it is evident that the petitioner also made constructions without leaving set backs.

Be that as it may.

Recording the submissions of the learned counsel for both the sides, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the representations, dated 05.08.2017 and 19.08.2017 of the

petitioner, within four (04) weeks from the date of receipt of a copy of this order, in strict accordance with the procedure established by law and after affording an opportunity of hearing to the petitioner and the 6th respondent as well 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.

JUSTICE M. SEETHARAMA MURTI

30.11.2017

Vjl

