

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.40031 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Standing Counsel appearing for respondents 2 and 3. Perused material record.

The grievance of the writ petitioner is with regard to the inaction of respondents 2 and 3 against the illegal and unauthorized constructions being made by the fifth respondent in Plot No.10, Road No.6, Bhagya Nagar Colony, Lingojiguda Village, Saroor Nagar, Ranga Reddy District, and also the encroachment made into the road.

Learned counsel for the petitioner submits that complaining against such illegal and unauthorized constructions being made in the said property and also the encroachment made into the road, the petitioner gave a representation, dated 11.04.2017, to the third respondent and that when there was inaction, W.P.No.16052 of 2017 was filed and that the said writ petition was disposed of directing respondents 2 and 3 authorities to consider the representation, dated 11.04.2017, and take necessary steps and that despite such directions, no action is being taken by respondents 2 and 3 and that as the fifth respondent is proceeding with the illegal and unauthorized constructions, a representation, dated 03.11.2017, was submitted and despite all these facts, no action is being taken by the respondent authorities against the fifth respondent.

Learned counsel for the petitioner further submits that if appropriate directions are given to respondents 2 and 3 to stop the illegal constructions and proceed in accordance with procedure established by law for demolition of the unauthorized illegal constructions already made

by the fifth respondent, the ends of justice would be met and the grievance of the petitioner would be redressed.

Learned Standing Counsel appearing for respondents 2 and 3, on instructions, would submit that the fifth respondent filed a suit against the second respondent-Municipal Corporation in O.S.No.1435 of 2017 on the file of the Court of the learned VIII Additional Senior Civil Judge, Ranga Reddy District, at L.B. Nagar, and obtained *status quo* orders in I.A.No.688 of 2017 and that the Municipal Corporation has already stopped the constructions being made by the fifth respondent and that the afore-stated suit is filed after a notice was issued by the Municipal Corporation. He, however, would submit that respondents 2 and 3 would proceed in the matter in accordance with procedure established by law.

Recording the submissions, the writ petition is disposed of directing respondents 2 and 3 not to allow the fifth respondent to make any further constructions in the subject property and also take appropriate steps, if necessary, for getting vacated the *status quo* orders granted by the Civil Court within three weeks from the date of receipt of a copy of this order, to enable the said respondents to take further action, in accordance with procedure established by law, against the unauthorized and illegal constructions, if any, made by the fifth respondent.

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

M. SEETHARAMA MURTI, J

Date: 06.12.2017

Note: Issue CC by 08.12.2017

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