

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.1065 of 2018

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Municipal Administration for respondent No.1 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent Nos.2 to 4. Proof of take notice to respondent No.5 is filed, but not acknowledgment. However, while dispensing with the notice and appearance of respondent No.5, the writ petition can be disposed of from the written instructions received from the learned Standing Counsel for respondent Nos.2 to 4.

2. The prayer in the writ petition reads as follows:

“.....to issue a writ, order or direction more particularly one in the nature of writ of **Mandamus** declaring the inaction of the respondents in taking action for preventing the 5th respondent from making illegal construction in the house bearing No.6-1-526, Khairatabad, Hyderabad area nearly 4500 sq. yards under the guise of multistoried residential complex without permission and sanctioned plan and without proper approach road, setbacks, ventilation is illegal, arbitrary, violation of chapter-12, Building Regulations G.H.M.C.Act, 1955 and pass such other order or orders as this Hon'ble court may be pleased in the interest of Justice.”

3. The written instructions particularly in para 4 speaks that the respondent officials identified the excavation works for cellar taking up by respondent No.5 without permission for the premises bearing No.6-1-526, Khairatabad, Hyderabad, and notices issued already

under Sections 452(1) & (2) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955, on 05.01.2018 and again on 27.01.2018 and further action will be taken soon according to due process of law.

4. Having regard to the above and by recording the same, the writ petition is disposed of directing respondent Nos.2 to 4 to intimate the further action and progress to the petitioners within six weeks from the date of receipt of a copy of this order. Further grievance of the petitioners, if any, is left open.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

1st February 2018

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Dr. B. SIVA SANKARA RAO, J

