

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

WRIT PETITION No.2133 of 2018

ORDER:

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

“to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction on the part of 3rd respondent on petitioner's application dated 27.12.2017 submitted for regularizing the construction of watchman room in an extent of 121sft out of 162 sqyds in plot no:2 in survey No: 92 at Sirama Colony, Ramanthapur Village, Uppal Mandal, Medchal District as illegal, irregular, irrational, amounts to non discharge of legal obligation conferred on 2nd respondent under the provisions of Greater Hyderabad Municipal Corporation Act, 1955 and rules framed thereunder and offends Articles 14 and 21 of Constitution of India and consequently direct the 2nd respondent to consider petitioner's application and pass necessary orders and also not interfere till the disposal of the application of the petitioner dated 27.12.2017 and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.” ”

2. Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration appearing for respondent No.1 and Sri P.Krishna Reddy, learned Standing Counsel, who offers to file vakalat for respondent Nos.2 and 3 and perused the prayer in the writ petition with supporting affidavit and other material on record including representation of the petitioner dated 27.12.2017.

3. There is nothing to keep the writ petition pending, but for, to direct the respondents to dispose of the said representation of the petitioner, apart from the petitioner giving liberty to apply, if at all his construction comes to consider within the purview of memo No.2252/ M1/ 2017 of Government of Telangana, Municipal

Administration and Urban Development (M) Department, dated 28.04.2017 of extension of the L.R.S scheme of 1975 on own merits. Subject to compliance of the same, the respondents are directed not to demolish the existing shed of the petitioner, for a period of six weeks from today. If it is not complied with and the case of the petitioner will not come under the above scheme, it is left open to the respondent-authorities to proceed with, in accordance with law.

4. With the above directions and observations, this Writ Petition is disposed of.

5. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

Date: 25.01.2018
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JUSTICE Dr. B.SIVA SANKARA RAO

