

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.7830 of 2018

ORDER:

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

“.....to issue a writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in taking action against the unauthorized commercial shops constructed in the stilt floor parking area of the apartment viz; Dream Home Dwaraka Nilayam Apartment bearing H.No.1-10-2, Dwarakapuram, Dilsukhnagar, Hyderabad, on the complaint dated 08.02.2018 made by the petitioner and despite the order of the Lok Ayukta dated 23.09.2013 in Complaint No.673 of 2013 arbitrary, illegal and consequentially directing the respondents to remove the unauthorized commercial shops constructed in the stilt floor parking area of the said apartment, forthwith; and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and Sri P.Krishna Reddy, learned Standing Counsel for the respondents and perused the prayer in the writ petition with supporting affidavit and the order of Lokayukta dated 23.09.2013.

3. A perusal of the order dated 23.09.2013 passed by the Lokayukta shows that the 2nd respondent herein was directed to demolish the two commercial shops fully including the shutters and allow the violators to take away their movables and not to allow any further commercial constructions surreptitiously at Dream Home Complex, Prabhatnagar, Dilsukhnagar, Hyderabad, within Circle-III, Greater Hyderabad Municipal Corporation of Hyderabad and also the notices issued earlier on 16.09.2013 and 31.12.2015 by respondents 1 and 2 to the said persons, who made the

unauthorized construction in the so called parking area of the said complex by construction of shops to cause remove referring to orders in Writ Appeal No.2130 of 2005 dated 21.02.2006.

4. It is the submission of the learned Standing Counsel for the respondents that the authorities are going to take appropriate action and report compliance and communicate the same to the petitioner.

5. Recording the above submission, this Writ Petition is disposed of, directing the respondents to take appropriate action and report the development to the petitioner within three months from the date of receipt of copy of this order.

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

Date: 09.03.2018

Note:

Issue C.C. in two days.

B/ o.
pab

Dr. B. SIVA SANKARA RAO, J