

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.12297 of 2011

ORDER:

The relief sought for in the writ petition is for a mandamus to declare the inaction of the Commissioner, Greater Hyderabad Municipal Corporation, in taking action on the complaints made by the petitioner and in stopping illegal and unauthorised construction and conversion of shops/kiosks on the left side of the petitioner's premises, as illegal and arbitrary.

The petitioner claims to be the tenant of the premises bearing Nos.G-15 and G-15A, Ground Floor, Block No.3A, White House Complex in premises bearing No.6-3-1192/1/1 situated at Kundanbagh, Begumpet, and to be carrying on business in readymade garments. This premises is said to have been let out to her by respondents 2 and 3. It is her grievance that, though an agreement was executed on 12.09.2008, respondents 2 and 3 had disconnected electricity connection resulting in her being forced to invoke the jurisdiction of the II Additional Chief Judge, City Civil Court, Hyderabad and filing W.P.No.7631 of 2010 before this Court; respondents 2 and 3 had allegedly started illegal construction of shops/kiosks on the left side of her building premises in the open spaces/parking place of the premises; and when she questioned their action, they had abused her. The petitioner claims to have submitted representations to the Municipal Corporation authorities to take action against the illegal construction; and, on the ground that no such action was taken, she has invoked the jurisdiction of this Court.

While the writ petition was admitted by order dated 17.04.2012, W.P.M.P. No.14999 of 2011 was dismissed. No counter-affidavit has been filed either by respondent No.1 or on behalf of respondent

Nos.2 and 3. It is, therefore, not known whether or not the construction raised by respondents 2 and 3, adjacent to the petitioner's shop, is pursuant to permission being granted by the GHMC.

As the petitioner has submitted a representation to the 1st respondent in this regard, suffice it to direct the 1st respondent to consider the petitioner's representation, cause verification of the subject premises and, if unauthorised or illegal construction is found to have been raised, to then take necessary action in accordance with law.

The Writ Petition stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

19th January, 2018
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Date: 19.01.2018

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