

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.25853 of 2009

Order:

This Writ Petition is filed questioning the action of the respondents 1 and 2 in not considering the representation of the petitioner dated 29.04.2009.

The grievance of the petitioner is that the third respondent is making illegal constructions on the Hill Top, situated adjacent to the property bearing H.No.19-3-41/6/A, Jahanuma, Hyderabad, and that the official respondents 1 and 2 are not stopping the said illegal constructions.

This Court, while admitting the writ petition on 21.07.2010, directed the official respondents 1 and 2 to take necessary steps for stopping the constructions being carried out by the third respondent. Thereafter, the writ petition was dismissed for default against the third respondent on 30.04.2013. Since the writ petition itself was dismissed for default against the third respondent, the petitioner cannot seek any relief against the third respondent, which, if granted, will certainly cause prejudice to the third respondent, without he being a party to the writ petition.

Hence, the Writ Petition is dismissed. However, the petitioner is at liberty to take appropriate legal proceedings in accordance with law, if he is so advised. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J.

Date: 06.11.2018
Nsr

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