

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4586 of 2019

O R D E R:

This writ petition is filed alleging that the official respondents are not taking action against respondent No.3 on the complaint of the petitioner dated 26.02.2019.

For the purpose of disposal of the writ petition, it is necessary to excerpt paragraphs 2 to 4 of the writ affidavit.

“I further respectfully submit that, this writ petition is filed challenging the action of respondent No.2 herein in not considering my representation, dated 26.02.2019 seeking action against illegal construction being carried out by respondent No.3 in respect of Survey No.4 admeasuring Acs.4.00, situated at Dawoodkhanguda, Badangpet Revenue Village, Balapur Mandal, Ranga Reddy District, as being illegal, arbitrary, discriminatory and violation of Articles 14 and 21 of the Constitution of India.

I further respectfully submit that, I am a native of Nadurgul Village, Balapur Mandal, Ranga Reddy District. Respondent No.3 herein had alienated the land to an extent of Acs.4.00 in Survey No.4, situated at Dawoodkhanguda, Badangpet Revenue Village, Balapur Mandal, Ranga Reddy District. However, respondent No.3 herein having no valid right are now making constructions moreover there is no permission to make constructions.

I further respectfully submit that, although I am a third party to the property, I am also a local resident and my right over the neighbourhood for orderly development of the locality is being defeated blatantly. Respondent No.3 herein is terrorizing the local people with grave consequences for raising the voice against the illegal constructions.”

The above reproduced paragraphs do not indicate that the petitioner is having any personal interest with regard to the property in question. When the petitioner does not have any interest over the subject property, assuming that he is espousing

the cause of public, the same would qualify to be treated as public interest litigation. However, this Court as well as the Hon'ble Supreme Court had clearly laid down certain parameters for a matter to be qualified/treated as 'public interest litigation' and the requirements to be set out in the affidavit. Such particulars being lacking in the present writ petition, this Court is not inclined to entertain the same.

Hence, the writ petition is dismissed. However, if the petitioner is of the opinion that there are omissions and commissions on the part of the official respondents and they require interference by this Court, in exercise of PIL jurisdiction, he is at liberty to set out the details thereof and satisfy the conditions laid down by this Court as well as the Rules notified.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:07.03.2019

kdl

