

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.6921 of 2019

ORDER

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration for the 1st respondent and learned Standing Counsel for the 2nd and 3rd respondents.

2. This writ petition is filed seeking to declare the action of the respondents in not taking steps to cancel the construction permission granted in favour of the 4th respondent in File No.3/C23/10490/2018 and permit No.3/C4/00425/2019 dated 08.01.2009 in spite of the written complaint dated 19.03.2019, as illegal and arbitrary.

3. The case of the petitioner is that the 4th respondent was granted permission on 08.01.2019 for construction of stilt + 2 upper floors in Plot No.30 (North part) and plot No.243 (South part) situated at Balaji Nagar (Circle 3B), Hyderabad. The further case of the petitioner is that there are no such plots existing in the said area and the 4th respondent is proceeding with the construction by encroaching into the public road. Bringing the said aspect to the notice, the petitioner made a complaint on 19.03.2019 to the 3rd respondent, however, no action has been taken against the 4th respondent.

4. Learned counsel for the petitioner submits that the original layout of the Christina Colony does not indicate the subject plots.

5. Having regard to the facts and circumstances, it would be appropriate to direct the respondents to take action on the complaint of the petitioner dated 19.03.2019 and pass appropriate orders in

accordance with law, in terms of the order of the Division Bench of this Court in W.P.No.20000 of 2016 dated 27.10.2006, wherein this Court observed as under:

- “1) The Commissioners and/or other concerned authorities of the Municipal Corporations and Municipalities in the State of Andhra Pradesh should within a period of 15 days from the date of receipt of representation made or notice sent by any person with the complaint regarding illegal/unauthorized construction, invariably give a written response to the person sending representation or notice.
- 2) The concerned authorities of the Municipal Corporations or Municipalities shall take necessary measures/steps to ensure that no one is allowed to raise construction without obtaining the building plan sanctioned from the competent authority and no construction is made in violation of the sanctioned plan or master/zonal plan/lay out”.

The respondents are also directed to communicate the decision to the petitioner within 15 days from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

9th April, 2019

sj