

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10283 OF 2019

Dated:06.06.2019

Between:

M.K.Padmasri, S/o. Sri K. Unnikrishnan,
aged 42 years, Occ: Business,
R/o.H.No.20-156/1, Gowthamnagar,
Malkajgiri, Medchal District and another .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Revenue
Department, Telanagana Secretariat,
Hyderabad and others .. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Revenue appearing for respondents, 1, 2 and 5 and Sri Chatla Madhu, learned Standing Counsel for GHMC appearing for respondents 3 and 4.

2. Earlier, petitioners filed W.P.No.17270 of 2016 and the said Writ Petition was disposed of directing respondents 2 to 4 therein to pass orders on the representation submitted by them on 09.05.2016. Thereafter, they filed W.P.No.31476 of 2017 seeking declaration that the action of respondents 2 to 4 in not acting upon their representation dated 09.08.2017 and in taking further action pursuant to notice dated 23.12.2016; wherein the Deputy Commissioner, Circle No.17, GHMC., informed the unofficial respondents herein that the house numbers claimed by them do not fall in Survey No.870, but they are falling in Survey No.869. On 22.03.2019, petitioners submitted another representation to the Deputy Commissioner, GHMC, Circle No.17, Malkajgiri, Medchal District, alleging that even though earlier they filed two Writ Petitions, no action is taken against the unauthorized construction. This Writ Petition is filed alleging inaction on the said representation.

3. As noted above, W.P.No.31476 of 2017 is exactly on the same issue of unauthorized construction by the unofficial respondents therein, who are also unofficial respondents in the present Writ Petition. Reliance is placed on the notice issued by

the GHMC on 23.12.2016 on the issue of alleged unauthorized construction by occupying a portion of open land/road between Gowthamnagar and Railway Track, which is the issue in W.P.No.31476 of 2017. Merely because petitioners make subsequent representations alleging inaction on the earlier representation even though Writ Petitions are filed on the same issue cannot give rise to fresh cause of action to institute another writ petition.

4. The Writ Petition is dismissed leaving it open to the petitioners to avail appropriate remedies as available in law. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

Date:06.06.2019
KH

P. NAVEEN RAO, J

