

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.25717 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents 2 to 4 in not demoliting the constructed building in FTL and Buffer Zone of Pedda Cheruvu, Nacharam and not considering the letter of 5th respondent as being illegal, arbitrary and violative of article 14, 19(1)(g) of Constitution of India and consequently direct the official respondents to remove illegal construction made by the 6th respondent in FTL and Buffer Zone of Pedda Cheruvu, Nacharam forthwith and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice.”

2. Heard Sri M.Mukunda Reddy, learned counsel appearing for the petitioner, learned Government Pleader for Irrigation appearing for respondents 1 to 3, Sri V.Narasimha Goud, learned standing counsel appearing for the 4th respondent and Sri Sampath Prabhakar Reddy, learned standing counsel appearing for the 5th respondent. Perused the material available on record.

3. The main grievance of the petitioner is that despite his best efforts and also filing earlier round of litigation in W.P.No.40439 of 2015, the official respondents have not taken any action against the unofficial 6th respondent for raising unauthorized construction in the FTL and Buffer Zone area within the vicinity of Pedda Cheruvu, Nacharam, Ranga Reddy District.

4. However, upon instructions, Mr.Sampath Prabhakar Reddy, learned standing counsel appearing for the 5th respondent, has placed on record the proceedings No.TPS/C1/LNZ/GHMC/2019, dated 11.11.2019, which categorically states that already the objections were considered. However, the application of the unofficial 6th respondent with regard to regularization has been rejected and thus, the orders, dated 31.10.2018, passed by this Court, in W.P.No.40439 of 2015 have been implemented by the respondents on 08.11.2019.

5. In view of the above, nothing survives for adjudication in this writ petition.

6. Accordingly, the Writ Petition is disposed of. However, with regard to subsistence of the unauthorized construction in the subject property is concerned, the concerned official respondent shall summon the petitioner as well as the unofficial 6th respondent and after affording an opportunity of personal hearing to both sides and after appreciating the documentary evidence, appropriate orders would be passed, as expeditiously as possible. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

T. AMARNATH GOUD, J

Date: 16th December, 2019

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