

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27290 of 2019

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is therefore prayed that the Hon’ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of respondents in not considering the petitioners representation dated 24.09.2019 wherein it was requested the respondents to cause the physical spot inspection of the site in the presence of the petitioners prior to granting of any permission to any person in respect of lands in Survey nos. 41, 174, 177, 178, 180/1, 181, 182 and 211 of Shaikpet Village and Mandal, Tolichowki, Hyderabad as the petitioners land in Sy No. 175 (Old) (new 148) Shaikpet Village and Mandal, Tollichowki, Hyderabad is abutting to the survey numbers mentioned above as arbitrary, illegal and violative of Articles 14, 21 and 300-A of Constitution of India and consequently pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri Swaroop Oorilla, learned counsel appearing for the petitioners, learned Government Pleader for Municipal Administration & Urban Development appearing for the 1st respondent and Sri N.Ashok Kumar, learned standing counsel appearing for respondents 2 to 4. Perused the material available on record.

3. The main grievance of the petitioners is that despite submission of their representation, dated 24.09.2019, to the respondents requesting to cause the physical spot inspection of

the site in the presence of the petitioners prior to granting of any permission to any person in respect of lands in Survey Nos. 41, 174, 177, 178, 180/1, 181, 182 and 211 of Shaikpet Village and Mandal, Tolichowki, Hyderabad as the petitioners land in Survey No.175 (Old) (new 148), Shaikpet Village and Mandal, Tolichowki, Hyderabad, is abutting to the survey numbers mentioned above, till now the respondents have not taken any action. Hence, the present writ petition is filed.

4. Learned counsel for the petitioners contended that the prospective buyers of the surrounding lands are identifying the petitioners' property as their land and further obtaining the permissions in deceiving the respondent officials and to put an end to such unlawful activity, the petitioners have raised their voice before the respondents.

5. Sri N.Ashok Kumar, learned standing counsel appearing for respondents 2 to 4, contended that the representation, dated 24.09.2019, submitted by the petitioners do not contain the boundaries of the petitioners' land and hence, the petitioners may be directed to file a fresh representation providing the boundaries of their lands before the respondents and the said representation shall be filed within a period of one (01) week from the date of receipt of a copy of this order and on receipt of such representation, the respondents shall consider the same, in accordance with law, in order to protect the Government lands and to keep the petitioners' property in tact. 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: 17th December, 2019

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