

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.2192 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the second respondent – Corporation.

2. The prayer sought in the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this 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 the respondents 2 & 3 in not taking any steps on the representation dt. 09.09.2019 made by the petitioner against the illegal constructions making by respondents 4 & 5 over the property in H.No.2-10-107 and 2-10-553 situated at Waddepally Village, Hanamkonda, Warangal (Urban) District is illegal, arbitrary and contrary to the provisions of Hyderabad Municipal Corporation Act and consequently direct the respondent Nos.2 & 3 to take immediate steps to remove unauthorized structures made by the 4 & 5 respondents and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. The main grievance of the petitioner in the present writ petition is that respondents 2 and 3 are not taking any steps on the representation dated 09.09.2019 submitted by him regarding the illegal constructions that are being made by respondents 4 and 5.

4. The learned Standing Counsel appearing for the second respondent – Corporation has produced the written instructions, dated 09.02.2020, wherein it is stated that the

Town Planning Officers of the second respondent – Corporation have inspected the subject site and found that houses are existing with Nos.2-10-107 & 2-10-553, and they are old constructions. Presently, no construction work is being taken up by respondents 4 and 5, as alleged by the petitioner. In the said written instructions, it is specifically mentioned that if respondents 4 and 5, in future, attempt to make any construction activity, the second respondent-Corporation will take appropriate action against the unauthorized construction in accordance with law.

5. The learned Standing Counsel, on instructions, informs this Court that the representation dated 09.09.2019 submitted by the petitioner will be considered and appropriate orders will be passed.

6. Taking the said submission into consideration, and in the light of the written instructions, the writ petition is disposed of directing the second respondent-Corporation to consider and dispose of the representation dated 09.09.2019 submitted by the petitioner, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHA RAO

Date: 11.02.2020

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