

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION Nos.27706 and 8085 of 2022

COMMON ORDER:

W.P.No.27706 of 2022 is filed questioning the action of respondent Nos.2 to 5 in not considering the complaint/representation of the petitioner dated 02.05.2022 against the unofficial respondent Nos.6 to 8 for their illegal construction in Plot No.127 and 128, total admeasuring 480 sq. yards, in Survey No.32 of Guttalabegumpet Village, Serilingampally Mandal, Rangareddy District, as illegal and arbitrary.

1(a) W.P.No.8085 of 2022 is filed questioning the action of the respondents in interfering with the possession and construction activity of the petitioners in Plot No.128, admeasuring 240 sq. yards in Survey No.32, situated at Guttalabegumpet Vilalge, Serilingampally Mandal and under GHMC Serilingampally Circle, Ranga Reddy District, without following due process of law, as illegal and arbitrary.

2. Sri Gandyadapu Rajesham, learned counsel for the petitioner in W.P.No.27706 of 2022, submits that the petitioner gave a representation to the official respondents on 02.05.2022 stating that the unofficial respondents are carrying out the illegal construction by obtaining the permission in the petitioner's land. According to the petitioner, the 6th

respondent has obtained permission and is making construction in the petitioner's land and whereas the 7th respondent, though obtained permission for two floors, is making construction of five floors. He submits that the 6th and 7th respondents have obtained permission for two floors and making construction of five floors by misrepresentation of facts in the petitioner's land. He submits that in spite of the representation dated 02.05.2022, no action has been initiated by the official respondents. He submits that when a representation is made under Section 450 of the GHMC Act, the respondent Commissioner has to consider the same and pass appropriate orders. He submits that questioning the said inaction, the petitioner has come up before this Court.

3. Sri S.Sridhar, learned counsel for the petitioners in W.P.No.8085 of 2022, submits that the unofficial respondent Nos.7 and 8 in W.P.No.27706 of 2022 are the petitioners in W.P.No.8085 of 2022. He submits that the petitioners in W.P.No.8085 of 2022 have obtained permission and making construction and the official respondents without any authority are interfering with their construction activity.

4. Sri Sampath Prabhakar Reddy, learned Standing Counsel, submits that the petitioners in W.P.No.8085 of 2022 are making constructions contrary to the sanctioned plan and the official respondents will issue

notice and take appropriate action. As far as petitioner in W.P.No.27706 of 2022 is concerned, he submits that the petitioner's representation will be considered by the Municipal Commissioner under Section 450 of the GHMC Act.

5. Recording the submission of learned Standing Counsel, these Writ Petitions are disposed of directing the Commissioner to consider the petitioner's representation dated 02.05.2022 after giving notice to the unofficial respondent Nos.6 to 8 in W.P.No.27706 of 2022 and giving an opportunity of hearing to the parties and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

July 7, 2022

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