

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.26309 of 2022

ORDER

This writ petition is filed with the following prayer;

“to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the 2nd to 4th respondents in considering the complaint of the petitioner dated 29-04-2022 to take strict action against the 5th respondent-M/s.Sri Rama Developers for making illegal construction on the mortgaged plot Nos.21,22,23,24 and 25 executed in favour of respondent No.3 and creating of charge within the Group Housing layout plan in File No.12161/LO/Plg/HMDA/2008 of Sri Rama Ayodhya Villas in Sy.No.151, 172/A, 179, 180, 181/A, 183/A, 194, 195, 196, 197/A, 200/A, 203/A and 208, situated at Bahadurpally Village, Dundigal Municipality, Medchal-Malkajgiri District, without providing amenities and release of agreement and deed of mortgage No.8364/14 and NOC from HMDA, as illegal, arbitrary and violative of principles of natural justice and equity being violation of Articles 14,21 and 300-A of the Constitution of India”.

2. Learned counsel for the petitioner Sri K. Mahender Reddy submits that the petitioner has made a complaint to the official respondents on 29-04-2022 stating that contrary to the approved layout and plan and without providing the park, amenities place, club house and over head tank, certain villas were constructed illegally and they have also given those numbers of villas. He submits that in spite of the said representation, no action has been taken by the respondents and hence, he has come up before this Court.

3. Learned counsel appearing for the unofficial respondent No.5 Mr. P. Prabhakar seeks time to file counter.

4. Learned Standing Counsel for HMDA Mr. V. Narasimha Goud submits that the respondents will consider the representation of the petitioner and pass appropriate orders in accordance with law.

5. Recording the submission of the learned Standing Counsel, the Writ Petition is disposed of directing the official respondents to consider the representation of petitioner dated 29-04-2022 and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order after giving due notice to the unofficial respondent No.5. As this Court is directing the official respondents to issue notice to the unofficial respondent, notice to the unofficial respondent is not necessary in this writ petition. No order as to costs.

6. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

SMT LALITHA KANNEGANTI, J

4th August, 2022.

sj