

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 36625 OF 2022

Between:

Sri. Rajath Jaju, S/o. Late. Brij Gopal Jaju, Aged 30 years, Occ. Business,
R/o. Begum Bazar, Hyderabad.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner,
Tank Bund, Hyderabad.
2. The Deputy Commissioner, Circle 14, Greater Hyderabad Municipal
Corporation, Goshamahal, Abids, Hyderabad.
3. The Assistant Town Planner, GHMC, Circle no.14, Goshamahal, Abids,
Hyderabad.
4. SriKishan Loya, S/o. Late. Sri. Laxminarayan Loya, Aged 65 years,
Occ. Business, H.No.15-7-527 to 530, Begum Bazar, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any writ order or direction more in the nature of writ of mandamus declaring the inaction of the respondents no.1 to 3 in considering petitioners representation dt.23.08.2022 for rejecting the building regularization application of the unofficial respondent in respect of illegal and unauthorized constructions raised in premises bearing H.No.15-7-527 to 530, Begum Bazar, Hyderabad, by encroaching the road margin as illegal, arbitrary and contrary to law and consequently direct the respondents no.1 to 3 herein to forthwith consider petitioners representation dt.23.8.2022 for rejection of BRS application and pass orders on the same in accordance with law and take action by way of demolishing the illegal and unauthorized constructions raised in premises bearing H.No.15-7-527 to 530, Begum Bazar, Hyderabad.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents no.1 to 3 herein to forthwith consider petitioners representation dt.23.8.2022 for rejection of BRS application and pass orders on the same in accordance with law and take action by way of demolishing the illegal and unauthorized constructions raised in premises bearing H.No.15-7-527 to 530, Begum Bazar, Hyderabad, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI L. RAM SINGH

Counsel for the Respondent Nos.1 to 3: SRI N. ASHOK KUMAR, SC FOR GHMC

Counsel for the Respondent No.4:-----

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.36625 of 2022

ORDER

This writ petition is filed with the following prayer;

"to issue any writ, order or direction more in the nature of writ of mandamus declaring the inaction of respondent Nos.1 to 3 in considering petitioner's representation dt.23.08.2022 for rejecting the building regularization application of the unofficial respondent in respect of illegal and unauthorized constructions raised in premises bearing H.No.15-7-527 to 530, Begum Bazar, Hyderabad by encroaching the road margin as illegal, arbitrary and contrary to law and consequently direct respondents Nos.1 to 3 herein to forthwith consider petitioner's representation dt. 23.8.2022 for rejection of BRS application and pass orders on the same in accordance with law and take action by way of demolishing the illegal and unauthorized constructions raised in premises bearing H.No.15-7-527 to 530, Begum Bazar, Hyderabad."

2. Learned counsel for the petitioner Mr. L. Ram Singh submits that the petitioner gave a representation dated 23-08-2022 to the respondent Corporation stating that the unofficial respondent No.4 has made illegal constructions in the subject property and in spite of the same, no action has been taken by the respondent Corporation and hence, the petitioner has come up before this Court.

3. Learned Standing Counsel for respondent Nos.1 to 3 Mr. N. Ashok Kumar submits that the respondent Corporation will consider the representation of the petitioner and pass appropriate orders in accordance with law.

4. Recording the submission of the learned Standing Counsel, the Writ Petition is disposed of directing the respondent Corporation to consider the representation of petitioner dated 23-08-2022 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order after due notice to the unofficial respondent No.4. As this Court has directed the respondent Corporation to issue notice to the unofficial respondent, this Court is not proposing to issue notice to the unofficial respondent. No order as to costs.

5. Miscellaneous Applications, if any pending in this writ petition, shall stand closed.

SD/-N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
2. The Deputy Commissioner, Circle 14, Greater Hyderabad Municipal Corporation, Goshamahahal, Abids, Hyderabad.
3. The Assistant Town Planner, GHMC, Circle no.14, Goshamahahal, Abids, Hyderabad.
4. One CC to Sri L. Ram Singh, Advocate [OPUC]
5. One CC to Sri N. Ashok Kumar, SC for GHMC [OPUC]
6. Two CD Copies
7. One Spare Copy

SM
EDS
BN

HIGH COURT

DATED:22/09/2022

ORDER

WP.No.36625 of 2022



DISPOSING OF THE WP
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