

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

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI
WRIT PETITION NO: 2427 OF 2022

Between:

V. Venkat Reddy, S/o Guruva Reddy, aged about 45 years, Occ Business, R/o Plot No. 91, Maruthinagar, Medipally Village and Mandal, Medchal Malkajgiri District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary (MA and UD) Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri District.
3. The Commissioner, Peerzadiguda Municipal Corporation, Medchal Malkajgiri District.
4. Mirupathi Jayapal Reddy, S/o Narahari Reddy, aged about 37 years, Occ Politician, BJP Leader, R/o Plot No. 40, Vivekanandanagar Colony, Medipally Village and Mandal, Medchal Malkajgiri District.

...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 writ order or direction one in the nature of writ more particularly Writ Of Mandamus declaring the action of the Respondents No. 1 to 3 in not taking necessary steps over the representation of the petitioner dated 23/11/2021 as illegal, arbitrary and against to the Natural Justice in not maintaining the setbacks as per the Proceedings No. 84504/PERZ/2075/2021 Dated 30/09/2021 of the respondent no. 3 by the respondent no. 4 .

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 respondent no. 3 to remove the illegal construction or deviations made by the respondent no. 4 pending disposal of the above writ petition .

Counsel for the Petitioner : SRI. R BALA SUBRAMANYAM

**Counsel for the Respondent Nos.1 & 2: GP FOR MCPL ADMN
URBAN DEV**

Counsel for the Respondent 3 : CHATLA MADHU

Counsel for the Respondent 4 :

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.2427 of 2022

ORDER:

This writ petition is filed questioning the action of the respondent Nos.1 to 3 in not taking necessary steps over the representation of the petitioner dated 23.11.2021 as illegal, arbitrary and against the natural justice in not maintaining the setbacks as per the proceedings No.84504/PERZ/2075/2021 dated 30.09.2021 of the respondent No.3 by the respondent No.4.

2. Mr. R. Balasubramanyam, learned counsel for the petitioner submits that the respondent No.4 has started construction of work illegally in plot No.115, H.No.9-115 Eastern Part in survey No.101 of Medipally Village and Mandal, Medchal Malkajgiri District. He submits that the respondent authorities are not taking any action in spite of the representation dated 23.11.2021 made by the petitioner. He submits that as per Section 178(6) of the Telangana Municipalities Act, 2019, whenever a representation is made to the respondent Authorities, they are bound to consider the same in accordance with law within a period of one week. He submits that as respondents failed to consider the representation of the petitioner, he is constrained to approach

this court by filing the present writ petition.

3. Mr. N.Praveen Kumar, learned Standing Counsel appearing for respondent No.3 submits that they will consider the representation of the petitioner dated 23.11.2021 in accordance with law within a period of one week.

4. Recording the submission of the learned Standing Counsel, the writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 23.11.2021 within a period of one (1) week from the date of receipt of copy of the order. No order as to costs.

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

SD/-K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (MA and UD) Secretariat State of Telangana, Hyderabad.
2. The District Collector, Medchal Malkajgiri District.
3. The Commissioner, Peerzadiguda Municipal Corporation, Medchal Malkajgiri District.

Contd. ---

4. One CC to SRI. R BALA SUBRAMANYAM ,Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV,High Court for the State of Telangana. [OUT]
6. One CC to SRI. CHATLA MADHU,Advocate [OPUC]
7. Two CD Copies
8. One Spare Copy.

PC

MMA

HIGH COURT

DATED:12/04/2022



ORDER

WP.No.2427 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

ASm 10
12/7/2022