

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.43626 of 2022

ORDER:

This writ petition is filed seeking the following relief:

“...pleased to issue an order/direction or a writ more particularly one in the nature of Writ of Mandamus declaring the action of 2nd Respondent Authority in not taking steps against the illegal / unauthorized construction undertaken by the 3rd Respondent over the land admeasuring 15 Guntas in Sy No-410 of Korutla Town and Mandal Jagtial District as illegal arbitrary unjust and contrary to the provisions of The Telangana Municipalities Act 2019 besides violative of Article 300-A of the Constitution of India consequently direct the Respondents herein to demolish the illegal / unauthorized construction undertaken by the 3rd Respondent on the above land and to pass..”

2. Learned counsel for the petitioner Mr. Jithender Rao Veeramalla submits that they gave a representation to the respondents on 26.11.2022 stating that the subject property belongs to his father and after his father's demise, he and his family members are staying away from the subject property. He submits that the unofficial respondent has started making construction in spite of the fact that O.S.No.55 of 2019 is pending on the file of the Hon'ble Senior Civil Judge, Jagtial. He submits that when the unofficial respondent is going ahead with the said construction, no action has been taken by the respondents.

3. Learned Standing Counsel Mr. B. Jagan Madhav Rao appearing for respondent No.2 submits that they will consider the representation without looking into the pending litigation between the parties.

4. If the unofficial respondent is making construction without obtaining permission from the respondent-Corporation, the respondent-Corporation shall consider the representation to that extent and take appropriate action.

5. Accordingly, the writ petition is disposed of, directing the respondents to take appropriate action in the matter and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of copy of the order by issuing notice to the unofficial respondent. This Court is not proposing to issue notice to the unofficial respondent as the respondents are directed to give an opportunity to him. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

5th December , 2022
myk