

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8937 OF 2024

Rohan Vimal Agarwal ...Petitioner
Versus
The Administrator Union Territory & Anr ...Respondents

Mr Akash A Singh, i/b Ashok M Saraogi, for the Petitioner.
Mr Aayush Kedia, with Yagni Sarvankar, i/b Hiten Venegavkar, for
Respondent No. 1.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 2nd July 2024

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1. Heard learned Counsel for the parties.
2. This Petition complains of inaction on the complaint made by the Petitioner on 31st May 2024 about some illegal construction carried out on the Petitioner's property.
3. The complaint dated 31st May 2024 is addressed to the Hon'ble Administrator, Silvassa Union Territory.
4. No complaint is made to either the municipal authorities or any other executive authorities who are concerned with action

against alleged illegal construction. Making the complaint directly to the Administrator without approaching the authorities who are directly concerned with such matters may not be proper. Normally, no writ of mandamus is issued unless, a demand for justice is made on the proper authorities.

5. That apart from we find that the Petitioner has annexed photographs of the structures which alleges is unauthorised, but, the Petitioner has not bothered to implead the party who has made the alleged illegal construction as Respondents to this Petition.

6. For all the above reasons, we decline to entertain this Petition. However, the Petitioner is granted a liberty to file complaints before the appropriate authorities and we assure that if such complaints are filed they will be dealt with in accordance with law by such appropriate authorities who are concerned with taking action against illegal construction.

7. The Petition is disposed of. There should be no order for costs.

(Kamal Khata, J)

(M.S. Sonak, J)