

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

THURSDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 2959 OF 2013

Between:

C.Ram Mohan, S/o.late Balaiah, Occ Pvt. Employee, R/o.H.No.25-31, Thalla Basthi, Malkajgiri, R.R.Dist.

...PETITIONER

AND

1. Greater Hyderabad Municipal Corporation, Rep.by its Commissioner, Malkajgiri, Hyderabad.
2. Smt.M.Y.Navanitha, D/o.Sri Janaiah, Occ Housewife, R/o.H.No.25-33, Thalla Basthi, Malkajgiri, R.R.Dist.

...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 a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the inaction of the 1st Respondent on the Representation Dt.22.12.2012 made by the petitioner against the illegal construction undertaken by the 2nd Respondent causing inconvenience and blockage of pathway as illegal and arbitrary

I.A. NO: 2 OF 2013(WPMP. NO: 3643 OF 2013)

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 grant interim direction directing the 1st respondent to immediately stop the illegal construction of compound wall that is being made by the 2nd respondent in the common passage, pending disposal of the above Writ Petition, otherwise grave injustice will be occasioned for me

I.A. NO: 1 OF 2013(WVMP. NO: 897 OF 2013)

Between:

Smt.M.Y.Navanitha, D/o.Sri Janaiah, Occ Housewife, R/o.H.No.25-33, Thalla Basthi, Malkajgiri, R.R.Dist.

...PETITIONER/2nd RESPONDENT

AND

1. C.Ram Mohan, S/o.late Balaiah, Occ Pvt. Employee, R/o.H.No.25-31, Thalla Basthi, Malkajgiri, R.R.Dist.

...RESPONDENT/WRIT PETITIONER

2. Greater Hyderabad Municipal Corporation, Rep.by its Commissioner, Malkajgiri, Hyderabad.

...RESPONDENT/RESPONDENT

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 vacate the interim orders dated 1.2.2012 in WPMP No. 3643 of 2013 in WP No. 2959 of 2013

Counsel for the Petitioner: SRI. C. RAGHU, SENIOR COUNSEL

**Counsel for the Respondent No.1: SRI KATIKA RAVINDER REDDY,
STANDING COUNSEL**

Counsel for the Respondent No.2: SRI P. PANDU RANGA REDDY

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.2959 OF 2013

ORAL ORDER:

Heard Sri C. Raghu, learned senior counsel for the petitioner, Sri Katika Ravinder Reddy, learned standing counsel appearing for respondent No.1 and Sri P. Pandu Ranga Reddy, learned counsel appearing for respondent No.2. Perused the record.

2. This writ petition is filed to declare the action of respondent No.1 in not taking action on the representation dated 22.12.2012 submitted by the petitioner complaining that respondent No.2 is making construction of compound wall without obtaining permission by blocking the road, etc.

3. Respondent No.2 filed counter contending that she never constructed compound wall without obtaining permission as alleged by the writ petitioner in the writ affidavit and she never blocked the way. She has filed a

suit vide O.S.No.1066 of 1999 against the petitioner seeking perpetual injunction and the same was decreed on 21.06.2007. Petitioner did not prefer any appeal. She has also filed a suit vide O.S.No.1135 of 1999 against GHMC seeking perpetual injunction and the same was also decreed on 18.04.2001. GHMC did not prefer any appeal. There are also specific findings in both the judgments and decrees that respondent No.2 never constructed compound wall and never blocked as alleged by the petitioner in the writ affidavit.

4. Sri Katika Ravinder Reddy, learned standing counsel appearing for respondent No.1 has produced written instructions dated 21.10.2024 of ACP-28 of GHMC, wherein, it is stated that they have inspected the site and found that there is no compound wall. Therefore, the allegation made by the petitioner that respondent No.2 constructed the compound wall is baseless.

5. In the light of the aforesaid discussion, respondent No.1 has already considered the representation dated 22.12.2012 submitted by the petitioner and this writ petition is liable to be dismissed and is accordingly dismissed. In the circumstances of the case, there shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

Sd/- K. SREE RAMA MURTHY
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to SRI C. RAGHU, Senior Counsel [OPUC]
2. One CC to SRI P. PANDU RANGA REDDY, Advocate [OPUC]
3. One CC to SRI KATIKA RAVINDER REDDY, Standing Counsel [OPUC]
4. Two CD Copies

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MP

HIGH COURT

DATED:24/10/2024

ORDER

WP.No.2959 of 2013



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

G. copfer
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19/12/24