

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE SRI JUSTICE P NAVEEN RAO



WRIT PETITION NO: 13695 OF 2019

Between:

1. G.A. Krishnama Chary @ Krishna Chary, S/o Late G.A.Brahmaiah Chary
2. Smt. A. Sulochana, W/o A. Krishnama Chary @ Krishna Chary,

....Petitioners

AND

1. Greater Hyderabad Municipal Corporation, Represented by its Commissioner through Circle No. 9 Tank Bund Road, Hyderabad.
2. Sri. Naravaram Srinivas Chary, S/o. Late N. Brahma Chary, Aged about 48 Years, Occupation Pvt. Employee, R/o H.No. 23-5-1037, Gowlipura, Hyderabad.
3. Sri. Naravaram Manohara Chary, S/o Late N. Brahma Chary, Aged about 46 Years, Occupation Pvt. Employee, R/o H.No. 23-5-1037, Gowlipura, Hyderabad.
4. Sri. Naravaram Naresh, S/o. Late N. Brahma Chary, Aged about 48 Years, Occupation Pvt. Employee, R/o H.No. 23-5-1037, Gowlipura, 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 Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the in action of the 1st Respondent officials in not taking any action in respect of Complaints lodged by the Petitioners dated 17.06.2019, 18.06.2019, 22.06.2019 and 28.06.2019 in respect of illegal and unauthorized constructions are being raised by the Respondents No. 2 to 4 herein towards north eastern side of Petitioners property bearing Municipal No. 23-5-1036 situated at Murad Mahal, Gowlipura, Hyderabad as arbitrary, illegal, unjust and against the principals of natural justice and consequently direct the Respondent No.1 officials to remove the erected windows and wall and thereby take action against the Respondents No. 2 to 4 herein restraining them from proceeding with further constructions towards north eastern side of Petitioners property bearing Municipal No. 23-5-1036 situated at Murad Mahal, Gowlipura

IA NO: 1 OF 2019

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 1st Respondent herein to take action in respect of Complaints lodged by the Petitioners dated 17.06.2019, 18.06.2019, 22.06.2019 and 28.06.2019 in respect of illegal and unauthorized constructions are being raised by the Respondents No. 2 to 4 herein by removing the same towards north eastern side of Petitioners property bearing Municipal No 23-5-1036 situated at Murad Mahal, Gowlipura, Hyderabad, pending disposal of WP.No.13695 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of MR.B.SHESHU KUMAR Advocate for the Petitioner and SRI.P.KRISHNA REDDY Advocate for the Respondent No.1, the Court made the following.

ORDER

Petitioners allege that the neighbours to the petitioner are undertaking construction of the building without observing the setbacks.

In spite of granting sufficient time, no instructions are furnished.

Pending consideration of the writ-petition, the respondent-Corporation is directed to examine as to whether the unofficial respondents violated the setback norms and without observing the setbacks undertaking construction and in the event of such finding, the respondent-Corporation shall ensure that no further construction is taken up by the unofficial respondents.

Instructions shall be placed before this Court within three weeks.

Post on 16.08.2019.

SD/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Commissioner, Greater Hyderabad Municipal Corporation, through Circle No. 9 Tank Bund Road, Hyderabad.
2. Sri. Naravaram Srinivas Chary, S/o. Late N. Brahma Chary, R/o H.No. 23-5-1037, Gowlipura. Hyderabad.
3. Sri. Naravaram Manohara Chary, S/o Late N. Brahma Chary, R/o H.No. 23-5-1037, Gowlipura, Hyderabad.
4. Sri. Naravaram Naresh, S/o.Late N. Brahma Chary, R/o H.No. 23-5-1037, Gowlipura, Hyderabad. (RR-1 to 4 by RPAD)
5. One CC to SRI. B SHESHU KUMAR Advocate [OPUC]
6. One spare copy

HIGH COURT

PNR,J

DATED: 25.7.2019

NOTE: POST ON 16.08.2019

WP.NO.13695 OF 2019

DIRECTION

