

**THE HON'BLE SRI JUSTICE D. APPARAO**

**W.P.No. 7289 of 2006**

The petitioners in this writ petition pray for issuance of an order or direction in the way of writ of Mandamus declaring the inaction on the part of the official respondents in restraining respondents 3 to 6 from making unauthorized structures, as illegal.

This Court by an order dated 13-04-2006 in W.P.M.P.No. 9364 of 2006 directed the official respondents to submit a status report, which reads as follows:

*“Assisgtant City Planner of Yousufguda Circle, M.C.H. shall look into the complaint made by the petitioner dated 01-04-2006 about the alleged encroachment into the passage abutting the house of respondents 3 to 6, and submit a status report and the steps taken thereon to preserve the passage if it is meant for free passage in the lay out plan, within two weeks from the date of receipt of a copy of this order.”*

As per the direction of this Court the Assistant City Planner, Circle No.5, Municipal Corporation of Hyderabad submitted a status report mentioning therein the existence of the unauthorized structures, issuance of notice U/s 461 of the Hyderabad Municipal Corporation Act (for short the “Act”) and subsequent notice U/s 452 of the Act. It is further submitted that action would be taken immediately after expiry of the time stipulated in the notice.

Having regard to the circumstances and in view of the fact that the Municipal Corporation of Hyderabad is taking steps for removal of the unauthorized structures, no orders need be passed in this writ petition, as it cannot be said that there was inaction on the part of the Municipal Corporation authorities from taking action.

The writ petition is accordingly closed. No order as to costs.

31<sup>st</sup> May, 2006

