

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 29056 of 2015

Date : 29-10-2015

Between :

Md.Mahaboob Ali S/o Yakub Ali
R/o Sahrudaya Old Age Home,
Sy No. 632, Prashanth nagar,
Waddepally, Warangal

Petitioner

And

The State of Telangana
Rep by its Secretary, Department of Municipal Admn & Urban Devp
Secretariat, Hyderabad and another

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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ORAL ORDER:

Petitioner claims to have purchased plot numbers 47 and 51 admeasuring 1500 sq yards in Survey Nos. 623 and 629, Waddepally village, Warangal district under five different sale documents dated 25.4.2007. After the said purchase, petitioner constructed compound wall and rooms. Same are assessed with tax and petitioner has been paying the property tax to the second respondent corporation and also obtained electricity connection and has been regularly paying the electricity charges. Petitioner has started an old age home under the name and style 'Sahrudaya Oldage Home'. While so, a notice under section 452 (1) of Hyderabad Municipal Corporation Act (for short the Act) was issued on 2.7.2015 alleging that petitioner constructed the compound wall and sheds unauthorisedly without obtaining prior permission from the respondent corporation and called for explanation from the petitioner against removal of the unauthorized constructions. Petitioner submitted his explanation on 28.8.2015. After considering the explanation, respondent corporation issued notice dated 21.8.2015 under Section 452 (2) rejecting the request of the petitioner. Prior to the order of rejection, petitioner filed an application dated 18.8.2015 for regularization.

2. When the matter is taken up, learned standing counsel submitted that application of the petitioner dated 18.8.2015 praying for regularization and explanation dated 28.8.2015 are pending consideration of the respondent corporation and they shall consider and pass appropriate orders.

3. Having regard to the said submissions, writ petition is disposed of without expressing any opinion on the merits of the matter, directing the second respondent corporation to pass appropriate orders on the regularization application of the petitioner dated 18.8.2015 and explanation filed in response to notice under Section 452 (2) of the Act dated 28.8.2015 as expeditiously as possible, preferably within a period of four weeks from the date of receipt of copy of this order. Till orders are passed, no coercive action shall be taken.

No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 29.10.2015

TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

Date :29-10-2015