

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.16143 of 2015

Dated : 30.06.2015

Between:

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K. Vinod Kumar S/o.K.Seetha Ramaiah,
Age 39 yrs, Occu : Advocate of High Court at Hyderabad,
R/o.Flat No.25081, Janapriya Apartments,
Hydergutta, Attapur, Hyderabad.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary for the Panchayat Raj,
Secretariat, Hyderabad & 6 others

.. Respondents

This Court made the following :

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ORDER :

The petitioner claims to be one of the residents of Flat No.202 of Sri Gayatri Avenue, Plot No.40 & 41, Sai Balaji Enclave, Kajipally Road, Mallampet, Hyderabad. The petitioner alleges that the 5th respondent constructed flats on the upper floor bearing Nos.401 & 402 without prior permission and such construction was illegally made. Complaining the said illegal constructions, the petitioner gave a representation to the Municipal Commissioner of GHMC, Quthbullapur. Having realized that the property in issue do not come under the jurisdiction of Municipal Corporation, he gave the complaint to the Executive Officer, Gram Panchayat, Mallampet Village on 19.03.2015. Alleging that no action was taken against such illegal constructions, and as the same was allowed, this writ petition is filed.

2. Having noticed that relevant instructions were not furnished and the grievance of the petitioner was not answered, the Panchayat Secretary, Mallampet was directed to be present before this Court. Today the Panchayat Secretary, Mallampet is present.

3. Learned Standing Counsel produced the plan of the residential complex which do not contain initial construction of Flat No.401 & 402 but subsequently the builder constructed Flat Nos.401 & 402 and availed the benefit of scheme of regularization provided by the Government. Accordingly, by order dated 17.08.2010 the Hyderabad Metropolitan Development Authority, penalized and regulated the said illegal constructions. In fact the Gram Panchayat has issued a notice on 24.06.2015 alleging illegal constructions. In response to the said notice, the father-in-law of the builder i.e., K.L.S.S.Rama Chandra Rao, has submitted a representation on 26.06.2015 enclosing copy of the order of regularization dated 17.08.2010 granted by the Hyderabad Metropolitan Development

Authority.

4. In view of the same, the cause in the writ petition does not survive and accordingly, the Writ Petition is disposed of leaving it open to the petitioner to work out his remedies against the said order of regularization. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

30th June, 2015

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