

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26945 of 2015

DATED : 25.08.2015

Between :

Nizam Fareed Baig Mirza,
S/o.Fazatullah Khan Mohammed,
Aged 46 yrs, Occu : Business,
R/o.16-3-993/G/1, Malakpet,
Hyderabad.

.. Petitioner

and

The State of Telangana,
Rep., by the Principal Secretary
Municipal Administration & Urban Development Department
Telangana, Secretariat, Hyderabad & others.

.. Respondents

This court made the following :

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ORDER :

Alleging that illegally the respondent-Corporation is interfering and threatening for demolition of the room and common bath room meant to be occupied by watchman and his family, in the stilt floor of the premises bearing No.12-2-419/A, 12-2-419/A/1/A, 12-2-419/A/1/B, 12-2-419/A/1/C, 12-2-419/A/1/D and 12-2-419/A/1/E, situated at Alapati Nagar, Hyderabad, this writ petition is filed.

2. When the writ petition is taken up for consideration, learned Standing counsel produced three proceedings issued by the Municipal Corporation. On 29.05.2015 notice under Section 452 (1) of Hyderabad Municipal Corporation Act, 1955 (for short ' the HMC Act') was issued alleging unauthorized construction of flat in stilt floor which was meant for parking area by violating the sanctioned plan and contrary to the rules in force. A reply was given on 06.06.2015 and on consideration of the same, notice under Section 452 (2) of the HMC Act, was issued on 08.06.2015 calling upon the petitioner to show cause why, the unauthorized construction should not be removed. Thereafter, on 18.06.2015 another notice under Section 636 of the HMC Act, was issued. All these notices were addressed to Smt.Haseena and M.N.Fareed Baig, i.e., the petitioner herein. None of these notices are under challenge. Therefore, the writ petition in the present form is not maintainable and accordingly, the writ petition is dismissed, leaving it open to the petitioner to work out his remedies as

available in law. There shall be no order as to costs.

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

P.NAVEEN RAO,J

25th August, 2015.
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