

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION No.22176 of 2015

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Between:

Vaskula Manikyam, S/o. Late Yakub,
Aged 41 years, Occ: Business,
R/o. H.No.11-5-42/F, Christian Colony,
Warangal & another

.. Petitioners

AND

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration,
Secretariat, Hyderabad & 3 others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 24.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether His Lordship wish to see the fair copy of the Judgment? | Yes/No |

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

The petitioners claim to be the joint owners of land admeasuring Ac. 0.33 guntas in Survey No.109/A/1 of Revenue Gorrekunta Village, Mandal, Warangal District. The petitioners claim that they have constructed a compound wall as per the directions of the Municipal Health Officer of the Warangal Municipal Corporation (4th respondent), dated 16.06.2015. Alleging that the petitioners unauthorizedly constructed compound wall with tin sheet room without obtaining prior permission from the Commissioner, show cause notice was caused on 16.06.2015. The petitioners claim to have submitted explanation on 20.06.2015. Thereafter, on 24.06.2015, the petitioners have applied for permission to construct a building as well as the compound wall. Alleging that though said application is pending, respondents are taking coercive action, this writ petition is filed contending that when the said application is pending, no coercive action can be taken.

2. On instructions, the learned Standing Counsel submits that since explanation is already submitted by the petitioners and an application for grant of permission for construction is made, an appropriate decision would be taken

on the same within a period of two (2) weeks.

3. Having regard to the said submission, the Writ Petition is disposed of directing the respondent Municipal Corporation to consider the application submitted by the petitioners on 24.06.2015 for grant of building permission as well as the explanation submitted by the petitioner on 20.06.2015 against the show cause notice, dated 16.06.2015, and pass appropriate orders, as warranted bylaw, if necessary, by affording opportunity of personal hearing. Till the orders are passed as directed above, no coercive action shall be taken against the petitioners. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 24th July, 2015

Note: Issue C.C. by one (1) week.

(B/o.)

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.22176 of 2015

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Date: 24th July, 2015

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