

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**FRIDAY, THE TWENTY SECOND DAY OF JUNE TWO THOUSAND AND
FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.18144 of 2015

Between:

Sri Aditya Homes Pvt. Ltd.,

Having its registered office at Aditya House,

8-2-332/8/A, Road No.3, Banjara Hills,

Hyderabad-34, Rep. by its M.D., Sri V. Kota Reddy.

.. Petitioner

AND

The Hyderabad Metropolitan Water Supply & Sewerage Board,

Khairatabad, Hyderabad,

Rep. by its Managing Director & 2 others

.. Respondents

The Court made the following:

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HON’BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

With the consent of the learned counsel for the petitioner,
Sri T. Sudhakar Reddy, learned Standing Counsel for the 1st respondent, Sri
Sampath Prabhakar Reddy, learned Standing Counsel for the 2nd respondent

and the learned Government Pleader for Municipal Administration for the 3rd respondent, this writ petition is disposed of at the admission stage.

2. The petitioner is into business of construction and sale of apartments, independent houses, villas and commercial spaces. On 28.01.2008, the petitioner obtained permission for construction of multi-storeyed residential complex building consisting of cellar, ground and seven upper floors. As per the norms prescribed by the respondent Municipal Corporation and the Hyderabad Metropolitan Water Supply & Sewerage Board, it is mandatory for such a building to provide for rain water harvesting structures. Initially, an amount of Rs.2,00,000/- was charged from the petitioner and thereafter, another amount of Rs.24,25,572/- was also charged to undertake such construction. The petitioner alleges that in spite of taking such huge amount, the rain water harvesting structures were not constructed and as there was inordinate delay, the petitioner had to undertake such construction so that he can obtain Occupancy Certificate. After constructing the appropriate structures, Occupancy Certificate was issued to the petitioner on 26.02.2013. Since the petitioner has undertaken the construction of required structures, it is incumbent upon the respondents to refund the amount collected from him. Asking to refund the amount, several representations are made, but no reply was furnished to the petitioner and amount is not refunded. One such representation was submitted to the first respondent Board on 07.11.2014.

3. Learned Standing Counsel for first respondent submits that since the representation submitted by the petitioner is pending consideration, the writ petition may be disposed of granting time to the first respondent Board to pass orders on the said representation.

4. Having regard to the submissions made, the Writ Petition is disposed of, without expressing any opinion on merits, directing the first respondent Board to pass orders on the representation submitted by the petitioner on 07.11.2014, as expeditiously as possible, preferably within a period of eight (8) weeks. 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: 22nd June, 2015

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HON’BLE SRI JUSTICE P.NAVEEN RAO

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Date: 22nd June, 2015

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