

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.30450 of 2015

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09.11.2015

Between:

P.Mahesh and others

.. Petitioners

and

The State of Telangana,

represented by its Principal Secretary,

Municipal Administration and Urban Development,

Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.T.D.Phani Kumar

Counsel for respondent No.1: Assistant Government Pleader

for Municipal Administration and Urban Development (TS)

Counsel for respondent No.2: Assistant Government Pleader

for Revenue (TS)

Counsel for respondent Nos.3 and 4: Mr.Risi Kumar for Mr.N.Ashok Kumar

Counsel for respondent No.5:Mr.P.Hemachandra

The Court made the following:

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ORDER:

This writ petition is filed with the grievance that over the building constructed by respondent No.6 without permission, respondent No.5 has erected a cell tower.

At the hearing, Mr.N.Risi Kumar, learned counsel representing Mr.N.Ashok Kumar, learned standing counsel for the Greater Hyderabad Municipal Corporation (GHMC) appearing for respondent Nos.3 and 4, on instructions, submitted that on finding that respondent No.6 has constructed the building without a sanctioned plan, the Corporation has issued notices to her under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short ‘the Act’) and thereafter, it has issued final notice under Section 452(2) of the Act directing her to remove the building, failing which an order under Section 636 of the Act will be passed and the Corporation itself will remove the building at the cost of respondent No.6. He has further submitted that in view of the impending municipal elections, respondent Nos.3 and 4 are unable to take further steps for removal of the building as it requires not only manpower but also Police protection.

In the light of the above submissions of the learned counsel representing respondent Nos.3 and 4, the Writ Petition is disposed of with the direction to the said respondents to initiate further action as per law within a period of two months from the date of receipt of a copy of this order.

As a sequel to disposal of the writ petition, W.P.M.P.No.39363 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

09th November, 2015

GHN