

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

W.P.No.35743 of 2012

Between:

K. Satya Srinivas

... Petitioner/Appellant (s)

And

The Deputy Commissioner, GHMC

... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 11.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

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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 Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
WRIT PETITION Nos.35743 OF 2012

ORDER

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The writ petition is filed challenging the proceedings No.3009/TPS/C-10/W6-3/2012, dated 15.11.2012 issued by the respondent under Section 636 of Hyderabad Municipal Corporation Act, 1955 (for short 'the Act) asking the petitioner to show cause why the unauthorised construction of roof of flat No.502, towards Western side, Southern side and partly Eastern side with RCC slab and connecting the balconies with iron grill shall not be removed.

A perusal of the impugned proceedings goes to show that the respondent has not given any other reasons except stating that the explanation submitted by the petitioner on 07.09.2012 is not satisfied with the provisions of GHMC. Therefore, on the sole ground of non application of mind the impugned proceedings dated 15.11.2012 are set aside. However, the respondents are directed to consider the explanation of the petitioner in proper perspective and pass a reasoned order in accordance with law within a period of four (4) weeks from the date of receipt of copy of this order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER

REDDY,J

Date: 11.08.2015

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