

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

WRIT PETITION No.37460 of 2015

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24.11.2015

Between:

Siddireddygari Venkat Reddy

.. Petitioner

and

The State of Telangana,

Municipal Administration and Urban Development Department,

Hyderabad and others

.. Respondent

Counsel for the petitioner: Mr.Raj Kumar Rudra

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.3 and 4: --

The Court made the following:

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ORDER:

The inaction of respondent No.3 in proceeding further in pursuance of a final notice issued by it to respondent No.4 for removal of the unauthorized construction is questioned in this writ petition.

In pursuance of the direction issued by this Court on 18.11.2015, the Commissioner of respondent No.3 is personally present today along with the Town Planning Officer. They have explained that initially respondent No.4 has taken building permission for ground + 1 floor, and later, she has obtained permission for the second floor. They have further submitted that respondent No.4 has added cellar without permit. They have denied the allegation of the petitioner that respondent No.4 has dug the cellar and stated that respondent No.4 has taken advantage of the natural ground position and constructed cellar without digging the ground. They have also stated that two days back, respondent No.4 has filed an application for regularization of the unauthorized construction under the Building Penalization Scheme (BPS), that they will examine the said application and take a decision as to whether the unauthorized construction made by respondent No.4 can be regularized or not and immediate action will be taken if the application is rejected.

In the light of the above submissions, the Writ Petition is disposed of with the

direction to respondent No.3 to take immediate and appropriate action on the application filed by respondent No.4 for regularization of the unauthorized construction under BPS and remove the unauthorized construction in the event the said application is rejected, within a period of one month from the date of receipt of a copy of this order. The result of the application filed by respondent No.4 and the further action, if any, subject to the outcome of the said application, shall be intimated to the petitioner.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.48195 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

24th November, 2015

GHN