

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11730 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 2nd respondent in issuing the notice under Section 636 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short 'the Act'), dated 10.04.2015, directing the petitioner to remove the construction of G+1 floor as illegal, arbitrary and consequently to set aside the same.

The case of the petitioner is that the 2nd respondent issued a show cause notice dated 22.09.2014 under Sections 432(1) and 461(1) of the Act, in respect of her property situated in Sy.No.637, Bheemaram Mandal, to remove unauthorized constructions of G+1 floor, which is constructed without prior permission from the 2nd respondent-Greater Warangal Municipal Corporation. Subsequently, she made a representation on 06.12.2014 to the 3rd respondent to allot a new house number to her plot. But the 3rd respondent issued a notice dated 04.03.2015 directing her to file decree copy, since there are property disputes, for which the petitioner submitted a reply dated 18.03.2015 but without considering the same, impugned proceedings dated 10.04.2015 is issued. It is also stated that even after issuance of impugned proceedings petitioner filed representation dated 20.04.2015.

Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration, appearing for the 1st respondent and Sri P.Lakshmaiah, learned Standing Counsel, appearing for respondents 2 to 4.

Learned Standing Counsel for the 2nd respondent-Municipality, on instructions, submits that the 2nd respondent will consider the representation filed by the petitioner along with documents and take appropriate action in accordance with law.

Placing on record the said submissions of the learned Standing Counsel, this writ petition is disposed of directing the respondent-Authorities to consider the representation dated 20.04.2015 filed by the petitioner along with documents and pass appropriate orders in accordance with law. Till such decision is taken by the respondent-Authorities, *status quo* obtaining as on today shall be maintained by both the parties. If the respondent-Authorities find that no explanation is filed by the petitioner or is not satisfactory, they can proceed further in accordance with law.

With the above directions, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

23.04.2015

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