

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6603 OF 2015

ORDER :

The present writ petition is filed seeking to issue a writ of Mandamus declaring the proceedings of the respondent issued in Rc.No.2317/2015/ACP-II, dt. /02/2015, signed on 21.02.2015 as illegal and arbitrary.

The case of the petitioner is that the petitioner is the owner of the premises bearing D.No.51-8-438/35, Sita Enclave, Seethammadhara, Visakhapatnam, having purchased the same by registered sale deed on 29.06.2002 and that he has been in peaceful possession and enjoyment of the same. Petitioner applied for regularisation for deviated portion by BRS/820/98, dated 28.08.1998. While so, the respondents issued notice in the month of February 2015 asking the petitioner to show cause as to why such portion of the structure which is in deviation of approved plan should not be removed so as to bring into conformity with the approved plan and master plan zoning regulations. On receipt of the same, the petitioner submitted explanation on 07.03.2015. But, without passing any orders, the respondents are trying to demolish the structures of the petitioner. Aggrieved by the same, the present writ petition is filed.

Heard Sri O. Manohar Reddy, learned counsel for the petitioner and Sri S.Laxminarayana Reddy, learned Government Pleader for the respondent-Corporation and perused the material on record.

Since the respondent-Corporation has already issued notice

under Sections 452 and 461 of the Hyderabad Municipal Corporation Act, and petitioner has submitted explanation on 07.03.2015, it is for the competent authority to consider the same and pass appropriate orders in accordance with law. Till such time, there shall be *status quo* obtaining as on today shall be maintained by both the parties.

Accordingly, 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

17.03.2015
Rns

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6603 OF 2015

Date: 17.03.2015

Rns