

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.504 of 2015

Date: 11-02-2015

Between:

S. Chandramouli

.. Petitioner

AND

The State of Telangana, represented by its
Principal Secretary, Municipal Administration
Department, Secretariat, Hyderabad and another

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.504 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the action of the 2nd respondent in issuing the impugned notice vide Notice No.UC/TPS/ W.No.35/CIR/IX/WMC/2014, dated 03-12-2014 as illegal and arbitrary and for a consequential direction to set aside the impugned notice and to direct the 2nd respondent to consider the same.

The case of the petitioner is that he is absolute owner and possessor of 100 square yards of open land situated in Survey No.138 of Gopalpur, Hanamkonda, Warangal District under registered sale deed vide document No.3274/2014, dated 19-06-2014 purchased from K. Shekariah. It is stated that for construction of building consisting ground plus first floor, the petitioner applied for building permission to the 2nd respondent, which was received by the 2nd respondent on 30-08-2014 and the

same is pending consideration. It is further stated that without passing any orders on the representation, the 2nd respondent issued the impugned notice under Section 636 of the Greater Hyderabad Municipal Corporation Act dated 03-12-2014 directing to remove the unauthorised construction as the same is without prior permission from the Municipality. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

Learned standing counsel for the respondents produced a memo dated 29-10-2014 stating that the application for granting permission for construction made by the petitioner is rejected and the same is affixed at the site.

In view of the same, the cause in the present writ petition no longer survives and has become infructuous. However, it is open for the petitioner to challenge the memo dated 29-10-2014 issued by the 2nd respondent.

Accordingly, the writ petition is dismissed as infructuous. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 11-02-2015

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