

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

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 29593 OF 2016

Between:

RSR Krishna Prasad S/o R. Laxmikantham

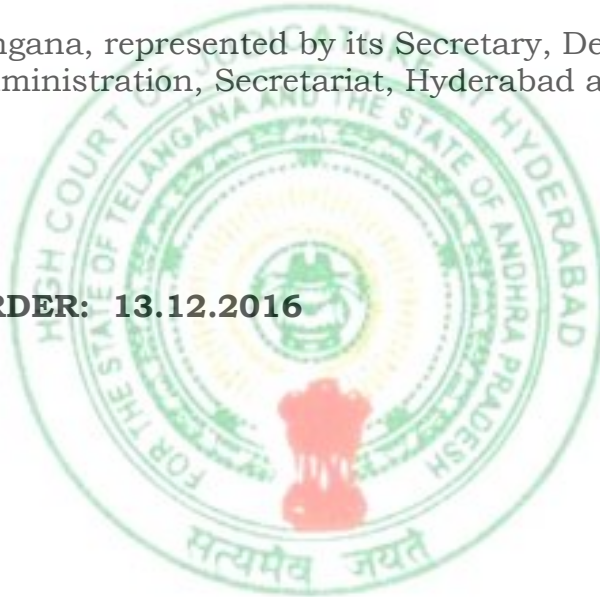
....Petitioner

A n d

State of Telangana, represented by its Secretary, Department of
Municipal Administration, Secretariat, Hyderabad and three
others.

....Respondents

DATE OF ORDER: 13.12.2016



HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION NO. 29593 OF 2016****ORDER:**

Petitioner applied for building permission to construct stilt plus three floors. However, petitioner constructed additional floor. For the alleged illegal construction notice under Sections 452(1) & 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short "the GHMC Act") was issued on 1.7.2016 followed by notice under Section 452(2) on 26.7.2016 and notice under Section 636 (1) on 6.8.2016. At this stage, petitioner claimed that he has submitted an application for regularization of alleged unauthorized illegal construction on 13.2.2016 by availing the new Scheme of Regularization formulated by the State. Contending that even without disposing of the application for regularization, respondents are seeking to demolish the residential house, the present Writ Petition is filed.

When the matter is taken up for hearing, learned counsel appearing for petitioner as well as learned Standing Counsel submit that a Division Bench of this Court in W.P.No. 5130 of 2016 and batch dated 18.10.2016 directed not to take coercive steps to demolish the illegal structures, if applications are filed for regularization on or before 1.3.2016, till orders are passed on such applications.

In the instant case, application for regularization was filed on 13.2.2016 and the same is not acted upon.

Following the direction of the Division Bench of this Court in W.P. No. 5130 of 2016 and batch dated 18.10.2016, this Writ Petition is also disposed of directing the respondents-Municipal Corporation not to take coercive steps to demolish the illegal construction made by the petitioner till his application for regularization filed on 13.2.2016 is considered and appropriate orders are passed. Since the application of the petitioner is pending for almost 10 months, respondents are directed to consider the said application and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. Till the orders are passed, respondents are directed not to take any coercive action and the petitioner is also directed not to make any further construction till his application for regularization is considered and appropriate orders are passed.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

P. NAVEEN RAO, J

Date: 07.12.2016

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