

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 8958 of 2014

Order:

This Writ Petition is filed for the following relief.

“To issue a writ or direction or an order more particularly in the nature of Writ of Mandamus to declare the inaction on the part of the respondents 2 and 3 in acting on the representation made by the writ petitioner dated 06.05.2013 and registered notices dated 03.10.2013 and 10.03.2014 in removing the unauthorized constructions made by the fourth respondent contrary to sanctioned plan vide BA No.395/13/G1 dated 03.05.2013 amounts to erroneous, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 2 and 3 to remove the illegal constructions raised by the fourth respondent contrary to sanctioned plan forthwith.”

This Court, by order dated 25.03.2014, directed the respondents 2 and 3 to take appropriate action in case the fourth respondent was raising any illegal constructions and deal with the same and also file a report as to the action taken thereon within thirty days.

Now, it is represented by the learned counsel for the fourth respondent that pursuant to the interim order a notice under Section 452 of the Hyderabad Municipal Corporation Act, 1955, was issued to the fourth respondent and she submitted her explanation. On the basis of the said explanation when an order was passed, she challenged the same in W.P.No.18634 of 2014 and in the meanwhile the Government introduced building penalization scheme under which she made an application. The said Writ Petition was ultimately disposed of on 23.11.2015 directing the respondents to take into consideration the application filed by the fourth respondent and dispose of the same in accordance with law.

In view of the same, no further orders are necessary in the present Writ petition and the Writ Petition is, accordingly, closed. However, it is always open to the petitioner to take appropriate proceedings in accordance with law in case the respondents regularized any impermissible unauthorised deviations while considering the application of the fourth respondent for regularization of the constructions. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date: 01.12.2016
Nsr

A. RAMALINGESWARA RAO, J

