

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.1847 of 2016

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22.01.2016

Between:

M/s.Maheshwari Megaventure Ltd., Hyderabad

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.M.Damodar Reddy

Counsel for respondent No.1: Government Pleader
for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.2 to 4: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the inaction of respondent No.1 in disposing of the petitioner's revision petition under Section 679 of the Greater Hyderabad Municipal Corporation (GHMC) Act, 1955 (for short 'the Act'), as illegal and arbitrary.

In view of the innocuous grievance of the petitioner, this Court is not inclined to discuss the merits of the case pertaining to the order passed by the Commissioner of respondent No.2, which is the subject matter of the revision petition before respondent No.1. Instead, respondent No.1 is directed to dispose of the revision petition within a period of four weeks from the date of receipt of a copy of this order, after hearing the petitioner and the officials of respondent No.2.

Mrs.G.Jyothi Kiran, learned counsel for the petitioner, submitted that after the filing of the present writ petition, a notice under Section 636 of the Act was issued and that there is immediate threat of demolition of a part of the petitioner's property.

Mr.P.Kesava Rao, learned standing counsel for GHMC appearing for respondent Nos.2 to 4, submitted that the petitioner is proceeding with the further construction despite the order passed by the Commissioner of GHMC holding that the petitioner is constructing building with several deviations.

Having considered the rival submissions and in order to balance the interests of both the parties, this Court is of the opinion that till disposal of the revision petition, respondent Nos.2 to 4 shall not demolish the construction already raised by the petitioner and at the same time, the petitioner shall not raise any further construction.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal the writ petition, W.P.M.P.No.2338 of 2016 filed by the petitioner for interim relief shall stand disposed of as

infructuous.

C.V.NAGARJUNA REDDY, J

22nd January, 2016
GHN