

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

WRIT PETITION NO.1645 OF 2016

DATED:22-01-2016

Between:

Mr. T. Venkat Reddy
and others ... Petitioners

And

The Greater Hyderabad Municipal Corporation
Rep. by its Commissioner, Tank Bund Road
Hyderabad
and others ... Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Sudheer Kumar

COUNSEL FOR THE RESPONDENTS: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a two-fold relief, namely (i) to direct the respondents to forthwith demolish the unauthorized construction made by respondent No.3 on the terrace of 'Ridhima One' apartment, bearing Municipal No.8-3-222/B/7/63(D-86), Madhura Nagar, Hyderabad; and (ii) to process the File bearing No.24561/15/04/2014/CZ for issuance of Occupancy Certificate.

When this writ petition came up for admission and for hearing on 21.01.2016, Mr. P. Kesava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (for short, 'the Corporation')), requested for a day's adjournment, for instructions. Today, at the hearing, the learned Standing Counsel placed before the Court, a Notice No.802/ACP-10A/CZ/GHMC/2016, dt.21.01.2016, issued under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955, to respondent No.3. He has also submitted that the officials of respondent No.1 – Corporation have inspected the terrace of the building on which respondent No.3 is seeking to construct a penthouse, and stopped further work. He has assured that further action will be taken on receipt of the explanation from respondent No.3. In view of the measures taken by respondent No.1, as noted above, no further adjudication of the writ petition is necessary, except to direct the Corporation to take the proceedings initiated by issuing notice under Sections 452(1) and 461(1) to their logical end.

As regards the second mentioned relief claimed by the petitioner, the learned Standing Counsel has fairly conceded that there can be no objection for the Corporation to consider the application filed by respondent No.3 for grant of Occupancy Certificate. Having regard to

this submission, respondent No.1 is directed to process the file bearing No. 24561/15/04/2014/CZ for issue of Occupancy Certificate and communicate the result to the petitioners within one month from the date of receipt of this order.

Subject to the above directions, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.2071 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

22-01-2016

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