

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.13510 of 2012

ORDER:

1. This writ petition was filed challenging the proceedings dated 23.04.2012 where under the explanation submitted by the petitioner for unauthorized construction of building pursuant to the notice under Section 452 of the HMC Act, 1955 was considered and stated that the cellar floor was not allowed in the site area below 750.00 sq.Mts. and the super structure was not in accordance with the G.O.Ms.No.678 MA dated 07.09.2007 in respect of all setbacks and height of the building.

2. However, after passing the impugned order, the petitioner submitted an application for regularization of the unauthorized construction and the respondent intimated on 30.09.2016 asking the petitioner to pay the balance amount for consideration of the application.

3. A Public Interest Litigation was filed before this Court challenging the scheme of regularization of unauthorized constructions and a Division Bench of this Court while keeping the said Writ Petition pending directed the respondents, Greater Hyderabad Municipal Corporation, to consider the pending applications and wherever the regularization orders cannot be considered allowed the respondents to pass appropriate orders rejecting the applications, but in respect of the applications which

can be considered for regularization were asked to be kept pending, pending further orders to be passed in the said Public Interest Litigation.

4. In view of the same, in the instant case also if the application of the petitioner is pending consideration, the same can be processed as per the directions of the Division Bench of this Court and appropriate action can be taken in accordance with the said directions. If no application of the petitioner is pending or if the application of the petitioner is rejected, it is open to the respondents to take appropriate action in accordance with law.

5. The Writ Petition is, accordingly, disposed of. No order as to costs. The Miscellaneous Petitions pending, if any, shall stand closed.



A.RAMALINGESWARA RAO, J

25-10-2016
Gsn