

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.12917 OF 2016

ORDER

Heard Sri C.Hari Preeth, learned counsel for the petitioner, and Smt. Pingali Lakshmi, learned standing counsel for the Greater Warangal Municipal Corporation.

The prayer of the petitioner in this case is as under:

‘For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue any Writ, order or direction more especially one in the nature of Writ of Mandamus declaring the action of the Respondents in threatening to Demolish the alleged Deviations in the ongoing Construction of the Petitioner’s Building Property bearing NO.19/1212/9 (Old No.19-9-370/1 & 2), situated at Shambhunipet, Khammam Road, Warangal Town without considering the Explanation of the Petitioner, Dt.11-04-2016 submitted pursuant to the Notice issued by the Respondents U/s.452 (1) of HMC Act as illegal, arbitrary, un Constitutional and against the Principles of Natural Justice and consequently direct the Respondents not to demolish the alleged Deviated Structures by duly considering the explanation of the Petitioner, Dt.11-04-2016 and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.’

It appears that the petitioner was issued notice dated 06.04.2016 by the Warangal Municipal Corporation authorities under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 and in response thereto, she submitted reply dated 11.04.2016. Sri Hari Preeth, learned counsel for the petitioner, would however contend that though no final order has been filed, the municipal authorities are taking steps for demolition of the subject property. Smt. Pingali Lakshmi, learned standing counsel, would however assert that the municipal authorities would follow the due procedure laid down by law and the writ petition is filed on mere apprehension.

As the municipal authorities have already issued a notice to the

petitioner and solicited her response and the petitioner is stated to have filed a reply dated 11.04.2016, there shall be a direction to the Greater Warangal Municipal Corporation to consider the said representation in accordance with law and only thereafter take appropriate action in accordance with the due procedure.

The writ petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed in the light of this final order.
No order as to costs.

SANJAY KUMAR, J

18th APRIL, 2016

Note: Issue C.C. by tomorrow.
B/o PGS