

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

WRIT PETITION No.1611 of 2016

21.01.2016

Between:

Annamaneni Manoj Kumar

.. 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.C.Hari Preeth

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

Counsel for respondent No.2: --

Counsel for respondent No.3: --

The Court made the following:

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ORDER:

Feeling aggrieved by the inaction of respondent No.2 in passing an appropriate order on the show-cause notice, dated 18.05.2015, issued by it to the petitioner, this writ petition is filed.

The petitioner pleaded that it has obtained building permission for construction of ground plus one floor over property admeasuring 418 sq.yds. in survey Nos.267 to 269 and 277 of Korutla Town and Mandal of Karimnagar District. On the complaint of respondent No.3 alleging that the petitioner has raised construction over 5% of the place gifted to the Gram Panchayat towards open space, respondent No.2 has issued show cause notice, dated 18.05.2015, calling upon the petitioner to show cause as to why his building permission shall not be cancelled. It has also directed the petitioner to stop further construction of the building. To the said show cause notice, the petitioner has submitted his reply within the stipulated time. As noted above, the grievance of the petitioner is that having received the reply, respondent No.2 has not been passing any order.

Mr.N.Praveen Kumar, learned standing counsel for Municipalities (TS) appearing for respondent No.2, on instructions, has submitted that after receiving the explanation from the petitioner, respondent No.2 has requested the Surveyor to demarcate the open space, in order to find out whether the allegation made by respondent No.3 bears any truth.

In my opinion, having issued the show cause notice, respondent No.2 cannot take its own time for taking a decision thereon. Respondent No.2 is, therefore, directed to expedite the process of demarcation of the open space, consider the explanation of the petitioner, take an appropriate decision and communicate the

same in writing to the petitioner, within a period of one month from the date of receipt of a copy 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.2034 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

21st January, 2016
GHN