

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10284 of 2016

ORDER:

Heard Sri N. Hari Prasad, learned counsel for the petitioner, and Sri P. Kesava Rao, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation.

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

“It is hereby prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the subordinates of the 2nd respondent corporation in threatening to demolish the structures raised in premises bearing H.No. 7-1-304/1/A and 7-1-304/1 situated at B.K.Guda, Hyderabad, without issuing any notice without following the procedure contemplated under the Law, as being illegal, arbitrary and unjust and consequently direct the officials of the 2nd respondent not to demolish or in any manner interfere with the construction made by the petitioner in the above mentioned property, and to grant such other relief or reliefs as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

According to the petitioner, the permission granted was for ground plus first floor but he also raised pillars for the second floor. At this stage, the municipal authorities threatened to demolish the said pillars, if they are not removed voluntarily. As the petitioner admits to have made certain constructions without due permission, the municipal authorities would be at liberty to remove the same but they must necessarily follow the due procedure laid down by law.

The writ petition is accordingly disposed of directing the municipal authorities not to resort to any demolition except in accordance with the due procedure laid down by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:30.03.2016
GJ