

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 16658 of 2012

Order:

This Writ Petition was filed challenging the inaction on the part of the respondents 1 and 2 in taking action against the unauthorized constructions made by the third respondent in house bearing No.5-3-290/5/A, situated at Goshamahal, Baradari, Hyderabad, contrary to the sanctioned plan.

This Court, by an order dated 07.06.2012, directed the respondents 1 and 2 to consider the representation filed by the petitioner and take appropriate steps.

No counter affidavit is filed by the respondents till today. However, learned counsel appearing for the third respondent submits that an application was filed seeking regularization of the deviated/unauthorized constructions made in the premises by the third respondent and the same is pending consideration.

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.

In view of the same, in the instant case also if the application of the third respondent 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 third respondent is pending or if the application of the third respondent is rejected, it is open to the respondents 1 and 2 to take appropriate action in accordance with law.

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

Date: 25.10.2016  
Nsr

A. RAMALINGESWARA RAO, J

