

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34443 of 2016

ORDER.

Heard Mr. B.V.Ram Naresh Kumar, counsel for petitioner and Mr. P.Kesava Rao, Standing Counsel for respondent Nos.2 and 3.

The petitioner prays for the following relief:

“... to issue a Writ of *Mandamus* declaring the action of respondent Nos.2 and 3 in resorting to demolish the petitioner's house bearing Municipal No.1-4-5/19/A, Bholakpur, Hyderabad as illegal, arbitrary and violative of Articles-14 and 300-A of the Constitution of India and contrary to the provisions of the Greater Hyderabad Municipal Corporation Act, 1955.”

Mr. P.Kesava Rao, on instructions, submits that notice dated 01.10.2016 under Section-452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 is already issued and the respondents are acting in the matter of unauthorised constructions strictly in accordance with law.

Counsel for petitioner contends that the respondents, without considering and disposing of the explanation given on 05.10.2016, are taking steps to demolish the construction undertaken by petitioner.

Having regard to the disposal I propose to give to the Writ Petition, the merits of the case are not considered.

The petitioner shall not undertake further construction unless and until the notice dated 01.10.2016 is considered in the light of explanation dated 05.10.2016 by respondents. Respondent No.3 is directed to take appropriate decision on the notice dated 01.10.2016 within four weeks from today. Respondent Nos.1 to 3 are directed not to demolish the structures available as on today at subject site for six weeks from today.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to the disposal of the writ petition, the miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE S.V.BHATT

06TH October, 2016

DR