

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.34821 OF 2016

ORDER:

Heard learned counsel for the petitioner; learned Government Pleader for Revenue; and Sri Pasham Krishna Reddy, learned Standing Counsel appearing for the Greater Hyderabad Municipal Corporation.

2. The case of the petitioner is that he is the absolute owner and possessor of house plot admeasuring 170 sq. yards covered by House No.4-32-1200/4, situated in Sy.No.327, adjacent to Allwyn Colony, Kukatpally, Ranga Reddy District, having purchased the same under registered sale deed bearing Doc.No.2607 of 1996 dated 18.06.1996 for valid consideration. It is further submitted that recently the 1st respondent has issued a G.O.Ms.No.152 dated 2.11.2015 for regularization of unauthorized constructions. In terms of the said G.O, the petitioner applied for regularization under LRS scheme and the same is pending with the respondents. While so, on 29.09.2016 the officials of the 3rd respondent had visited the premises and demolished the part of the building and informed the petitioner to vacate the premises for the purpose of demolition. Questioning the said action of the respondents, the petitioner has approached this court by this writ petition.

3. Learned counsel appearing for the parties fairly submits that the issue involved in this writ petition is similar to issue in a batch of writ petitions, where under this court by order dated 30.09.2016 passed interim orders in WPMP No.42127 of 2016 in WP No.34149 of 2016 and batch.

4. Following the same, this writ petition is disposed of with the following directions:

“i. issue notices to all persons/firms/companies who are suspected or alleged to have constructed buildings or structures on nalas or tank beds;

- ii. disclose the material available with the respondent authorities along with such notices that the constructions are in locations warranting demolition;
- iii. give two weeks time from the date of receipt of such notice to the persons/firms/Corporations who are alleged to have built the said structures or tank beds/nalas to respond to such notices or vacate the said premises; and
- iv. then pass a reasoned order why the demolition is justified.”

Till such order is communicated to the petitioner, the respondents shall not demolish any of the structures erected by the petitioner. However, this order will not preclude the respondents to demolish without notice such structures if there is an emergent situation.

No further constructions shall be made by the petitioner without obtaining permission from the GHMC.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Dated:18.10.2016

Note: Issue CC forthwith.

B/o.

Gk

CHALLA KODANDA RAM, J

HON'BLE SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.34821 OF 2016

Date:18.10.2016

Gk