

HONB'E SRI JUSTICE CHALLA KODANDARAM

WRIT PETITION No.5737 OF 2017

ORDER:

The writ petition is filed challenging the action of the respondents 2 and 3 in trying to demolish the pent house of the petitioner situated in H.No.26-545, Bharathi Nagar, Ramachandrapuram, Hyderabad pursuant to the notice dated 6.2.2017

Noticing the deviations made by the petitioner in making the construction, the 3rd respondent authority had issued the notice invoking the provisions of Hyderabad Municipal Corporation Act, 1955 (for short, "the Act"), calling upon the petitioner to show cause as to why the unauthorized constructions of pent house shall not be removed and also pointed out that not maintained all round set back. Thereafter, the petitioner submitted his explanation on 13.2.2017 to the 3rd respondent, but the 3rd respondent even without passing any orders on the explanation of the petitioner, making efforts to demolish the constructions of the petitioner. Hence, the writ petition.

The contention of the learned counsel for the petitioner is that the petitioner had submitted his explanation on 13.02.2017 and without considering the same and without passing any orders, the respondents are making efforts to proceed with the demolition of the building of the petitioner.

Learned standing counsel opposes the writ petition.

Having considered the submissions made at the bar and considering the submission made by the learned counsel for the petitioner that the respondents did not consider the explanation/representation of the petitioner dated 13.02.2017, the writ petition is disposed of directing the respondent-authorities to

consider and pass appropriate orders on the explanation/representation dated 13.02.2017 of the petitioner, in accordance with law, within a period of two weeks from the date of receipt of copy of the order. Till then, the respondent-authorities shall not take any coercive steps towards demolition of the building of the petitioner. It is made clear that the petitioner shall not make any further constructions in the meanwhile.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

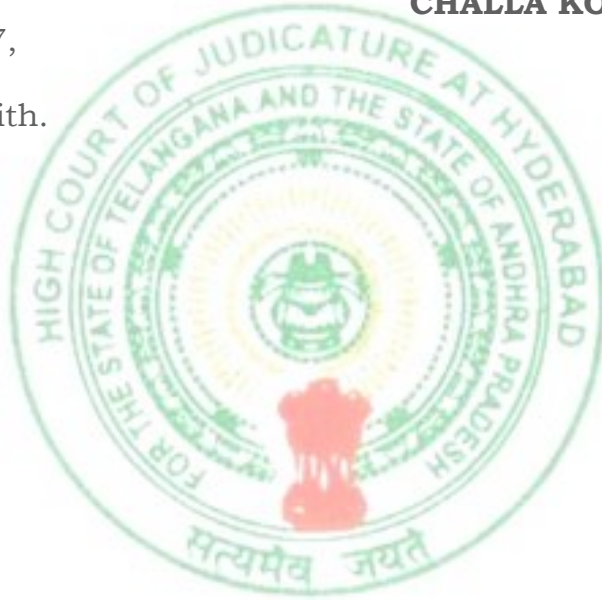
Date:17.02.2017,

Note:

Issue CC forthwith.

B/o.

Gk.



HONB'E SRI JUSTICE CHALLA KODANDARAM



WRIT PETITION No.5737 OF 2017

Date:17.02.2017

Gk