

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.16880 of 2011**

**ORDER:**

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, to declare the action of the 2<sup>nd</sup> respondent in issuing proceedings in Roc.No.C2/758/2009, dated 14-06-2011 and further action of the 1<sup>st</sup> respondent in issuing the final notice in Roc.No.CP/17021/2011, dated 17-05-2011 in respect of the property bearing House No.5-36/22, Enumamula village, Hanamkonda Mandal, Warangal District as illegal, arbitrary and without jurisdiction and violation of the provisions of the A.P. (Telangana Area) Irrigation Act, 1357 Fasli and consequently set aside the same.

Heard and perused the material available on record.

The 1<sup>st</sup> respondent corporation filed a counter-affidavit.

Paragraph No.11 of the said counter-affidavit reads as under:

*“... .. It is submitted that the schedule property of the petitioner falls within the municipal limits of Warangal and the said plot falls with the Full Tank Level (FTL) area of Chinna Wadapally Cheruvu. The petitioner construction is illegal and against public policy and the same is liable to be dismantled. The 3<sup>rd</sup> respondent officials ignoring the orders issued by the Government from time to time in various G.Os. and by colluding with the petitioner seems to*

*have granted permission and the same are not having any legal sanction and not binding on this respondent.”*

Learned counsel for the petitioner submits that the petitioner has already completed his construction and he may be permitted to make representation to the respondent authorities for regularization of his construction.

In view of the submission made by the petitioner, the writ petition is disposed of, permitting the petitioner herein to make representation to the respondent authorities for regularization of his construction answering the points raised in the counter-affidavit filed by the respondent authorities and on such representation, the respondent authorities are directed to consider and pass appropriate orders on the same, in accordance with law. Till such time, the respondent authorities shall not take any coercive steps. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

**RAJA ELANGO, J**

February 20, 2017

*Pn*

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**



**WRIT PETITION No.16880 of 2011**

February 20, 2017

*Pn*