

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6848 of 2017

ORDER:

This writ petition is filed by the petitioner seeking to declare the action of the respondents in trying to demolish the structures raised over the schedule property i.e., Plot No.76, an extent of 300 Sq. yards and plot No.59, an extent of 295 Sq. yards (after accommodating 5 Sq. yards for internal road expansion in the original of 300 Sq. yards mentioned in document No.9482/1990), total admeasuring 595 Sq. yards or 497.42 Sq. meters in Sy.No.66/2, situated at Raidurg Newkhalsa village and GP. Serilingampally mandal, R.R. District, pending BRS application, dated 31-01-2016 as illegal and arbitrary and consequential direction to restrain the respondents from demolition of the structures raised by the petitioner over the schedule property, mentioned above.

Heard learned counsel for the petitioner; learned Government Pleader for Municipality; and Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing for the Greater Hyderabad Municipal Corporation.

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.

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.

JUSTICE CHALLA KODANDA RAM

March 01, 2017

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