

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40246 of 2012

ORDER:

The main grievance of the petitioner is that the 4th respondent by misleading the officials of Greater Hyderabad Municipal Corporation ('GHMC') has obtained regularization for third floor, but in fact, there is no structure on third floor. When the petitioner started pursuing the matter with the GHMC, the 4th respondent, to cover up his misdeeds, started constructions on third floor.

It is the contention of the petitioner that the scheme of regularization of unauthorised constructions is applicable only in respect of structures that are already in existence as on the cut-off date fixed by the Government and subject to the objections raised by the affecting parties and the orders passed by the GHMC regarding regularization are liable to be challenged by way of appeal. Whereas, in the present case, without there being any existing structures, the 4th respondent obtained regularization orders in respect of non-existing structures over third floor and later started constructing the third floor.

Considering the facts and circumstances of the case, the petitioner is directed to give a detailed representation to the concerned authorities of respondent-Corporation and on such representation, the authorities of respondent-Corporation is directed to make an enquiry whether or not construction is in existence in the third floor and whether the 4th respondent has obtained regularization orders without there being any existing structures as alleged by the petitioner and take appropriate steps in accordance with law.

The writ petition is disposed of accordingly. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

06.02.2017
Tsr

RAJA ELANGO,J



