

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.21768 of 2013

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner complaining against the action of the respondents in trying to demolish the subject property of the petitioner without following the procedure established by law.

2. I have heard the submissions of *Sri Kishan Rao Maaturi*, learned counsel for the petitioner, and of *Smt.Pingali Laxmi*, learned Standing Counsel for the respondent. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit that after the writ petition is filed, petitioner submitted an application under BRS and the same is pending consideration with the respondent-Municipality. He, therefore, prays that the writ petition may be disposed of giving a direction to the respondent to consider the application of the petitioner under BRS and pass appropriate orders in strict accordance with the procedure established by law and protect the interest of the petitioner till disposal of the BRS Application of the petitioner.

4. Smt. Pingali Lakshmi, learned Standing Counsel while endorsing the said submissions of the petitioner would further submit that the Municipality will take appropriate decision on the said application of the petitioner keeping in view the directions in the orders passed by the Division Bench of this Court.

5. Recording the submissions, the Writ Petition is disposed of directing the respondent-Municipality to consider and dispose of the application of the petitioner under BRS as expeditiously as possible and preferably within two months from the date of receipt of a copy of this order, however, in strict accordance with the procedure established by law. It is made clear that till disposal of the said application submitted by the petitioner, no action for demolition of the property of the petitioner shall be taken by the respondent-Municipality and no coercive steps shall also be taken against the petitioner.

Pending miscellaneous petitions, if any, shall stand closed.
There shall be no order as to costs.

April 20, 2017
LMV



JUSTICE M. SEETHARAMA MURTI