

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.1792 of 2017

ORDER:

In this writ petition, the petitioner claims to have submitted application dated 31.12.2015 for regularisation of the alleged illegal construction in terms of G.O.Ms.No.152 dated 02.11.2015, and invoked the jurisdiction of this Court seeking a mandamus to restrain the authorities concerned of the Municipal Corporation from demolishing the structures raised by him, as his application for regularisation of illegal construction is still pending consideration before the competent authorities.

2. When the matter came up for hearing, learned counsel for the petitioner submits that this writ petition is squarely covered by the order dated 18.10.2016 passed by a Division Bench of this Court in W.P.No.5130 of 2016 and batch.

3. Sri Keshava Rao, learned Standing Counsel for the respondent Corporation does not dispute the same.

4. In view of the said submission, following the order dated 18.10.2016 passed by a Division Bench of this Court in W.P.No.5130 of 2016 and batch, this writ petition is disposed of in terms of the said order, directing the authorities concerned of the Municipal Corporation not to take coercive steps for demolition of the illegal structures raised by the

petitioner, provided his application seeking regularisation under G.O.Ms.No.152 dated 02.11.2015, was submitted before the cut-off date specified in the said G.O or the extended cut-off date till 01.03.2016.

5. In case the petitioner submitted application for regularisation on or before 01.03.2016, the respondent Municipal Corporation shall not take coercive steps to demolish the illegal structures raised by him till orders are passed on his application for regularisation, and the said orders are communicated to him. It is open to the Municipal Corporation, in case the application of the petitioner for regularisation is rejected, to initiate action for demolishing the illegal structures in accordance with the provisions of the GHMC Act, and the Rules and bylaws made thereunder. It is made clear that that in case, the application seeking regularization has not been submitted before 01.03.2016, it is open to the Municipal Corporation authorities concerned to take action for demolition of the illegal structures, in accordance with law. No order as to costs.

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

JUSTICE CHALLA KODANDA RAM

20.01.2017.
Msr

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