

THE HONB'E SRI JUSTICE CHALLA KONDANDA RAM

WRIT PETITION No.11025 OF 2017

ORDER:

The writ petition is filed challenging the notice dated 16.03.2017 in respect of existing compound wall of the Flat No.B-59-F1, bearing M.No.10-3-521/7, situated at Vijayanagar Colony, Hyderabad, without following the procedure laid down under the Hyderabad Municipal Corporation Act, 1955 (for short, "the Act").

It is the case of the petitioners that they are absolute owners and possessors of the above said flat and they are in peaceful possession and enjoyment of the same. It is stated that basing on the complaint given by one Mrs. Shakira Begum, the 4th respondent without verifying the fact that the residential complex in which the petitioners' flat and the first floor flat of the defacto complainant Mrs. Shakira Begum are located, cannot be built and sold without construction of a compound wall for the complex, issued the impugned notice. Thereafter, the petitioners got issued a reply to the impugned notice. The 4th respondent even without passing any orders on the reply issued by the petitioners, making hectic efforts to demolish the compound wall of the petitioners' flat.

Inasmuch as the petitioners' reply notice is pending with the respondents authorities, the writ petition is disposed of directing the respondents to consider the reply notice dated 20.03.2017 of the petitioner and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of copy of this order. Till such time orders are passed on the reply notice dated 20.03.2017 of the petitioners, no coercive steps shall be taken by the respondents. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

CHALL KODANDA RAM,J

Date:28.03.2017.

Note:

Issue CC forthwith.

B/o.

Gk.



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Gk.