

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18392 OF 2017

ORDER:

1. This writ petition is filed challenging the notice dated 1.6.2017 issued by the 3rd respondent for demolition of the constructions made by the petitioner in his property bearing H.No.31-3-2164, T.N.G.Os Colony, Hamankonda, Warangal.

2. The case of the petitioner is as follows:

The petitioner purchased the property in question covered by a house number along with a room and compound wall, and after purchase, he obtained permission and constructed the house. Subsequently, when the Government launched the scheme for regularization for unapproved lay out, he made an application for regularization under L.R.S. scheme on 28.11.2016 and the said application is pending. Simultaneously, the petitioner also made an application under BPS scheme for regularization of the constructions made in the property of the petitioner. Subsequently, the petitioner carried out minor repairs in the said property, for which, the 2nd respondent issued a notice to the petitioner alleging that the petitioner encroached the road. The petitioner submitted explanation. But, without considering the same, the 2nd respondent issued notice dated 22.5.2017 alleging that the petitioner made unauthorized constructions, for which the petitioner submitted explanation. On 1.6.2017, again the officials of the 3rd respondent served the impugned notice alleging that the petitioner constructed RCC residential building unauthorizedly without taking prior permission. Hence, the petitioner filed this writ petition.

3. Heard and perused the material available on record.

4. Admittedly, the application filed by the petitioner for regularization of constructions, under BPS scheme is kept pending. Considering the circumstances of the case and the submissions made by the learned Counsel for the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The Official respondents are directed not to take any coercive steps in connection with the constructions made by the petitioner in the property in question till the decision is taken on the application made by the petitioner under BPS scheme.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

Dated: 8th June, 2017
Nn.



JUSTICE RAJA ELANGO

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