

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7123 OF 2017

ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration for the 1st respondent and Sri P. Keshav Rao, learned Standing Counsel for Greater Hyderabad Municipal Corporation.

The case of the petitioners is that they are the absolute owners and possessors of the flats in the 6th floor of the building in premises bearing No. 1-1-385, Gandhinagar, Bakaram, Hyderabad. It is their further case that pursuant to G.O.Ms.No.152 dated 02.11.2015 issued by the 1st respondent, they applied for regularization of the flats and the same is pending with the respondent authorities, who, however, are trying to demolish the flats in the premises in question. Hence, this Writ Petition.

Learned counsel appearing for the parties fairly submit that the issue involved in this Writ Petition is similar to the one raised in Writ Petition No. 34149 of 2016 and batch, wherein this Court, passed the interim order on 30.09.2016.

Following the same, this Writ Petition is disposed of with the following directions:

- i) issue notices to all persons/firms/companies who are suspected or alleged to have constructed buildings or structures on nalas or tank beds;
- ii) disclose the material available with the respondent authorities along with such notices that the constructions are in locations warranting demolition;
- iii) give two weeks' time from the date of receipt of such notice to the persons/firms/companies who are alleged to have built the

- said structures on tank beds/nalas to respond to such notices or vacate the said premises; and
- iv) then pass a reasoned order why the demolition is justified.

Till such an order is passed and communicated to the petitioners, the respondents shall not demolish any of the structures raised by them. However, this order will not preclude the respondents from demolishing such structures without issuing even a notice if there is an emergent situation. It is made clear that no further construction shall be carried on by the petitioners without obtaining necessary permission from the Corporation. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

01st March 2017

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CHALLA KODANDA RAM, J

