

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.41029 of 2017

ORDER:

The submissions and grievance of the writ petitioner are that the fourth respondent having applied for permission for construction of a building with stilt + ground + first floor in her property from the second respondent – Municipal Corporation had made illegal and unauthorised constructions without leaving set backs and also made construction of second floor and that a part of the second floor collapsed and fell on the property of the petitioner, which is adjacent to that property, and that on a complaint made by the petitioner, the second respondent-Municipality having initiated action by issuing notice, dated 12.06.2017, under Sections 452 (1) and 462(1) of the Hyderabad Municipal Corporation Act, 1955, has not taken further action against such unauthorised and illegal constructions made by the fourth respondent and therefore, the writ petition is filed.

2. Learned Standing Counsel appearing for respondents 2 and 3, on oral instructions, would submit that action has already been initiated by issuing a notice under Sections 452(1) and 462(1) of the afore-stated Act and that the Municipality will proceed further in the matter in accordance with procedure established by law.

3. Recording the submissions, the writ petition is disposed of directing respondents 2 and 3 municipal authorities to consider and dispose of the complaint, dated 30.05.2017, of the petitioner against the constructions illegally and unauthorisedly made by the fourth respondent, in accordance with procedure established by law and take further follow up action pursuant to the notice, 12.06.2017, issued by the Municipal Corporation to the fourth

respondent in strict accordance with procedure established by law and communicate the decision taken on the said complaint to the petitioner, within a week after taking such decision.

Miscellaneous petitions pending, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

M. SEETHARAMA MURTI, J

Date: 07.12.2017
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