

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.42261 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue writ, order, or direction more particularly in nature of WRIT OF MANDAMUS directing the Respondents not to further demolish or interfere with the possession of the Petitioners being premises no 12-5-23/3 situated at Bathukammakunta South, Lallguda, Secunderabad, bounded by North : Plot no 6, South Road, East Plot no 3, and West 40 Ft Road, pending the disposal of Regularization application and and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

[Reproduced verbatim]

2. I have heard the submissions of Sri *H. Yogesh Kumar*, learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, Sri *Chatla Madhu*, learned Standing Counsel representing the Greater Hyderabad Municipal Corporation, appearing for the respondents 2 & 3. I have perused the material record.

3. Learned counsel for the petitioner would submit that the authorities of respondents 2 & 3 Municipal Corporation demolished rooms in stilt floor, which is meant for parking in the subject property and that a Building Regularisation application is pending before the said respondent authorities and that since the unauthorised constructions in the stilt area are already demolished, the said respondents may be directed not to undertake any further demolition

work in the subject property of the petitioner or interfere with any other portion of the subject property, pending disposal of the regularisation application.

4. Learned Standing Counsel appearing for the respondents 2 & 3 would submit that since the unauthorised constructions in the stilt floor are already demolished, no further demolition work would be undertaken in the subject property.

5. Recording the submissions, the Writ Petition is disposed of directing the respondents 2 & 3 authorities not to undertake any further demolition work or interfere with the possession of the subject property of the petitioner till the disposal of the regularisation application of the petitioner pending with the said authorities. Both parties are, accordingly, directed to maintain *status quo* till the disposal of the said application of the petitioner as on today.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 15th December, 2017

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