

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.4603 of 2018

ORDER:

Heard the learned counsel for petitioner, learned Government Pleader for Municipal Administration & Urban Development for respondent No.1 and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondents 2 and 3 and perused the prayer in the writ petition with supporting affidavit and other material on record. The prayer in the writ petition is as follows:

“to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents 2 and 3 herein in trying to demolish the building constructed on the Plot admeasuring 790 square yards in Survey No.166 covered by H.No.1-4/ 1, Balanagar Mandal, Rangareddy District, presently within the limits of Circle No.14 of Greater Hyderabad Municipal Corporation, is illegal, arbitrary and violative of the Articles 14, 21 and 300-A of the Constitution of India apart from being violative of principles of natural justice and consequently direct respondents 2 and 3 herein not to demolish the building constructed on the Plot admeasuring 790 square yards in Survey No.166 covered by H.No.1-4/ 1, Balanagar Mandal, Rangareddy District, presently within the limits of Circle No.14 of Greater Hyderabad Municipal Corporation except in accordance with law and without disposing of the applications of the petitioner for regularization of the construction of the above said building and to pass such other order or orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

2. Undisputedly, the G.O.Ms.No.34 of Municipal Administration & Urban Development (M1) Department dated 01.02.2016 issued extending the time for regularization, further in continuation to the G.O.Ms.No.211, M.A. & U.D. (M1) Department dated 31.12.2015, which is pursuant to the original G.O.Ms.No.152, M.A. & U.D. (M1) Department dated 02.11.2015, and mentioned in the said G.O.Ms.No.34 dated 01.02.2016 that it is subject to outcome of the orders of High Court in PIL No.361/ 2015.

Having regard to the above, instead of keeping the writ petition pending the same is disposed of directing the respondents to follow the due process of law for entitlement, if any, to consider pursuant to the G.Os subject to result of PIL No.361/ 2015. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

15.02.2018
MVA