

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.4037 of 2013

ORDER:

This writ petition is filed to declare the action of the respondent in proposing to demolish the construction made by the petitioner in House Plot No.2 situated at Boyapalle Gate area, Mahaboobnagar, in pursuance of the orders in Proc.No.G1/UCR/01/2013, Dt.28.1.2013 as illegal and arbitrary.

The petitioner submits that the respondent issued notice under Section 228(3) of the Andhra Pradesh Municipalities Act, 1965.

On 11.2.2013, an interim direction was granted directing the respondent not to demolish the subject property of the petitioner and the petitioner was directed not to make any construction either by way of additions including any improvements to the existing structures.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent municipality.

Learned counsel for the petitioner submits that the petitioner has submitted an application under Building Regularisation Scheme and the said application is still pending with the respondent.

In view of the facts and circumstance of the case, the Writ Petition is disposed of directing the respondent to consider the application submitted by the petitioner under Building Regularization Scheme, in accordance with law, if it is not already disposed of, as expeditiously as possible, preferably within eight weeks from the date of receipt of the copy of this order. Pending disposal of the said application, the interim order granted on 11.2.2013 shall be continued. If the petitioner has not submitted any application seeking regularization or if the same is rejected, the respondent shall take action, in accordance with law. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



KONGARA VIJAYA LAKSHMI, J

Date: 04/12/2018
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