

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 25645 OF 2009

ORDER :

This Writ Petition is filed to declare the action of the respondents in trying to demolish the structures in H.No. 8-2-439 & 8-2-440, Road No. 4, Avenue No. 6, Banjara Hills, Hyderabad, as arbitrary and illegal.

Petitioner claims to be the owner and possessor of the afore-stated property, consisting of ground and first floor, having purchased the same under a registered sale deed dated 01.12.2001 from Mrs. Rafath Jahan. While so, during 2008, it is stated, the petitioner constructed second floor thereon. According to him, he could not obtain permission therefor and thereafter, applied to the respondents under 'Building Penalization Scheme' on 26.03.2008 and paid the requisite fees. However, the personnel of the 2nd respondent visited the property on 20.11.2009 and threatened to demolish the structures.

This Court, while admitting the Writ Petition on 26.11.2009, granted interim direction not to demolish the structures in the subject property.

A counter-affidavit was filed by the Assistant City Planner, Circle No. 10, on behalf of the 2nd respondent on 20.08.2010. In paragraph 2 thereof, it has been stated that due to large number of Applications received by the Corporation and heavy work load in processing the files, it took sometime to dispose of the Application of the petitioner. It is further stated that the petitioner's Application was considered and proceedings were issued to him regularising the constructions.

In the light of the above subsequent developments, the grievance of the petitioner stands redressed and no further orders need be passed. The Writ Petition is therefore, closed, after hearing learned counsel for the petitioner and Sri L. Venkateswara Rao, learned Standing Counsel for the respondent Corporation. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

27th September 2018

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