THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.27342 of 2018

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development and Sri S.D.Goud, learned Standing Counsel, appearing for the respondents.

According to the petitioner, it is a society and it purchased an extent of 415.55 sq.yards of house site, by way of a registered sale deed, dated 26.04.2014, for valuable consideration from one Sri Bandaru Venugopal and, since then, petitioner herein has been in possession and enjoyment of the same.

It is submitted by the learned counsel for the petitioner that the petitioner herein submitted an application to the second respondent-Ananthapuramu Municipal Corporation along with the title documents and the plan on 16.05.2015 for building permission. It is further submitted that the said application is neither approved nor rejected till date and, after waiting for one year, petitioner herein got constructed temporary shed with iron sheets and the same is being used as prayer hall.

The second respondent-Ananthapuramu Municipal Corporation, pursuant to the orders of this Court, dated 16.04.2018, in W.P.No.17870 of 2017, wherein this Court directed the second respondent herein to take further action on the representation, submitted by the petitioner therein, issued notice, under Sections 461 and 462 of the Hyderabad Municipal Corporation Act, 1955 (for brevity, 'the Act'), calling upon the

petitioner herein to show cause as to why the unauthorised construction should not be removed.

According to the learned counsel for the petitioner, in response to the said show cause notice, petitioner herein submitted explanation on 06.07.2018 (received by the office of the second respondent on 07.07.2018). Now it is stated in the accompanying affidavit that the said explanation has not been considered so far by the second respondent herein and, on the other hand, on 28.07.2018, the officers of the second respondent-Ananthapuramu Municipal Corporation came to the subject prayer hall and warned the pastor to remove the sheds within a week, else the same will be removed departmentally.

Since the petitioner herein has already submitted an explanation on 06.07.2018, in response to the show cause notice, and as the same is pending consideration till date, according to the petitioner herein, this Court deems it appropriate to dispose of the Writ Petition, by directing the second respondent-Ananthapuramu Municipal Corporation to verify the said explanation, dated 06.07.2018, said to have been submitted by the petitioner herein, in response to the show cause notice, and pass appropriate final orders, strictly in accordance with law. Till the said exercise attains finality, *status quo*, as on today, with regard to the subject structures, pursuant to the notice, dated 25.06.2018, issued by the second respondent-Ananthapuramu Municipal Corporation, under Sections 461 and 462 of the Act, shall be maintained.

With the above directions, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

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A.V.SESHA SAI, J

03rd August, 2018
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