

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.5788 OF 2019

Date: 10.6.2019

Between:

Satish Chand Agarwal

.. Petitioner

And

Greater Hyderabad Municipal Corporation
rep. by its Commissioner and Special Officer
Hyderabad and others.

.. Respondents

The Court made the following:



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ORDER:

This writ petition is filed questioning the inaction of the Respondents 1 to 4 in considering the representations/ complaints of the petitioner dated 14.1.2019, 8.2.2019 and 26.2.2019 for demolition of illegal and unauthorized construction made by Respondent No.5 at 15-2-378, Behind Agrasen Bank, Siddiamber Bazar, Hyderabad.

2. The averments made in the affidavit filed in support of the writ petition primarily disclose that Respondent No.5 started making illegal/unauthorized construction by encroaching into public land without obtaining any valid permission from Respondent No.1.

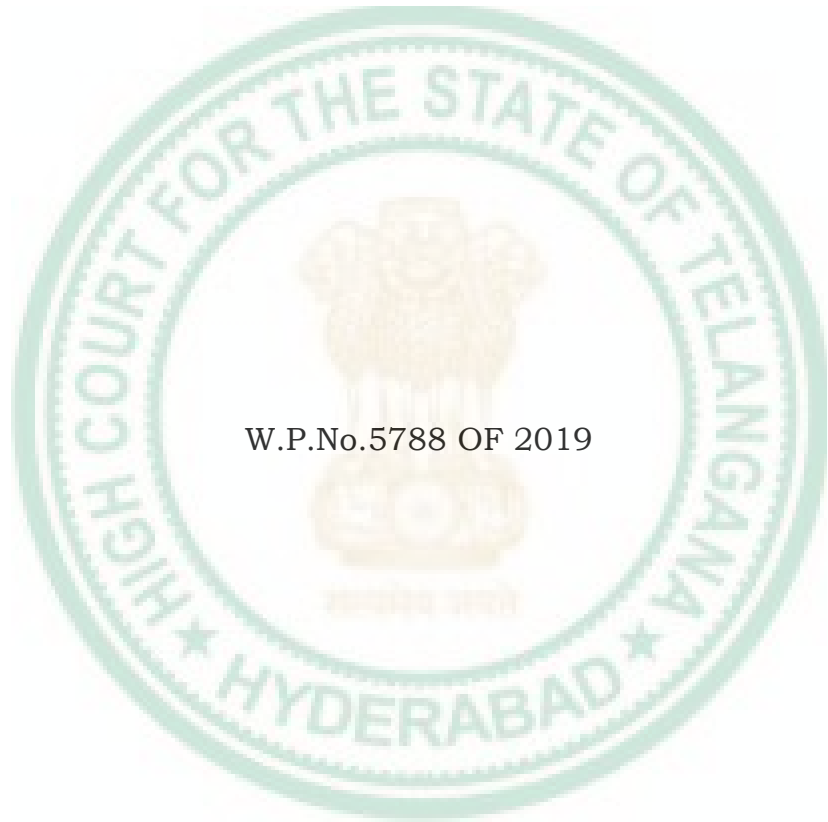
3. Today, when the matter is taken up, the learned counsel appearing for Respondent No.5 as well as learned Standing Counsel for GHMC submits that on 14.11.2017 building permission was granted to Respondent No.5 to construct stilt plus two upper floors, which is not disputed by the petitioner.

4. Therefore, since building permission was already granted, it cannot be said that the 5th respondent is making unauthorized and illegal construction. Hence, the writ petition is dismissed. However, if the 5th respondent, in the guise of building permission granted, deviates or raise construction in violation of the building permission by encroaching upon public road, it is always open for the petitioner to make a complaint to the GHMC and work out the remedies as available to him under law, if so advised. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

P. NAVEEN RAO, J

Date: 10.6.2019
DA

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