

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9714 of 2019

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Sri Chatla Madhu, learned Standing Counsel for respondent Nos.2 and 3.

2. This writ petition is filed seeking to declare the action of the respondents in threatening to demolish the structures made in Plot No.112/A in Sy.No.254/P, Yapral, Circle-28, Medchal, Malkajgiri District, without following due procedure contemplated under the statute, as illegal and arbitrary.

3. The petitioner asserts that he is the absolute owner and possessor of the aforesaid property and that he obtained building permission on 06.11.2018 for construction of a residential house. He further asserts that when he was proceeding with the construction in accordance with the sanctioned plan, the respondents are interfering with the same.

4. Learned Standing Counsel, on instructions, would submit that though the petitioner was granted permission for construction of stilt+2 floors, he is making constructions without leaving the parking space and therefore, the respondents only warned him not to make any deviation during construction, however, no action has been taken. He would further submit that if any action is required to be taken, the respondents would follow due procedure under law.

5. In the light of the respective submissions, as long as the petitioner is making constructions strictly in accordance with the sanctioned plan, the respondents shall not interfere with the same. However, it is open to the respondents to take action against the petitioner, if there is any violation of sanctioned plan, by following due process of law.

6. Subject to the above, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

30th April, 2019

sj

CHALLA KODANDA RAM, J

