

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10501 OF 2019

ORDER:

The petitioner challenges the order in U.C.R.No.11/TPO/2018, dt.18.05.2019 passed by respondent No.2, alleging that the petitioner had made construction of compound wall without obtaining permission from the respondent authorities concerned.

It is the contention of the learned counsel for the petitioner that a detailed reply dt.23.02.2019 has been submitted to the notice dt.16.02.2019 issued by the respondents stating that as the petitioner's application was not disposed of within the statutory period as mandated under the Telangana Municipalities Act, considering the same as deemed permission, the petitioner has made such construction. It is further contended that the petitioner has not made any construction or other structure in the subject premises and hence, passing of the impugned order dt.18.05.2019 is illegal and arbitrary.

On the other hand, Sri N. Praveen Kumar, learned Standing Counsel for the Municipalities, submits that as the petitioner had already submitted his reply dt.23.02.2019, the same will be considered and appropriate orders would be passed in accordance with law.

Whether the petitioner had complied with the conditions precedent for invocation of deemed permission as mandated under the Telangana Municipalities Act or not is a matter for verification.

Having regard to the submissions made by the learned counsel for the respective parties, the writ petition is disposed of directing respondent Nos.2 and 4 to take into consideration the reply dt.23.02.2019 submitted by the petitioner and pass appropriate orders in accordance with law before proceeding with the demolition of the subject structure of the petitioner. It is made clear that the entire exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

CHALLA KODANDA RAM, J

22.05.2019.
Ksm / Msr

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22.05.2019
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