

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.Nos.11171 & 11276 OF 2019

Date: 25.6.2019

W.P.No.11171 of 2019

Between:

Puppy

.. Petitioner

And

State of Telangana, rep. by its
Principal Secretary,
Department of Municipal Administration
Secretariat, Hyderabad and others.

.. Respondents

The Court made the following:



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COMMON ORDER:

Heard learned counsel for petitioners, learned Government Pleader for Respondent No.1 and the learned Standing Counsel for Respondent Corporation and perused material available on record.

2. Petitioners in both the writ petitions claim that they were allotted Plot Nos.1423 and 1422 respectively on 14.2.1985 by the Tahsildar, Medchal, Ranga Reddy district. After construction of quarters, the said plots were allotted with House No.1-3-325 admeasuring 142 sq.yards situated at Suraram quarters in Sy.No.107, Qutubullapur mandal, and they were in occupation of the said houses.

3. Learned counsel for petitioners submit that though the petitioners applied for building permission, the same is not granted and on the other hand, the officials of the Corporation are trying to demolish the compound wall of the petitioners.

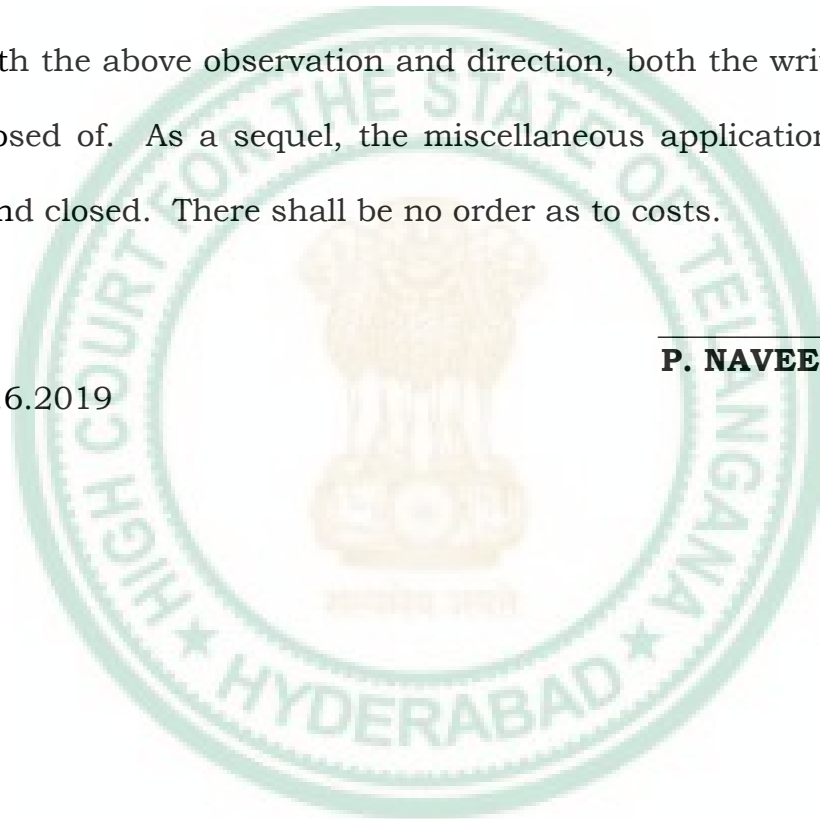
4. In the affidavit filed in support of the writ petition, it is stated that the petitioners demolished the existing structure for the purpose of renovation of the house, but the photographs clearly show that petitioners intend to construct a new house. Either to renovate or construct a new house and/or compound wall, building permission has to be obtained and without valid permission, no construction can be made. Thus, petitioners cannot blame the Corporation for taking penal action.

5. However, if there is no impediment for the Respondent Corporation to grant building permission as and when such applications are made, if not already made, if they are otherwise in order. Pending consideration of the building permission, the Respondent Corporation is directed not to demolish the compound wall of the petitioners subject to petitioner depositing a sum of Rs.5,000/- each within a period of three weeks from the date of receipt of a copy of this order. If the application for building permission is in order, the amount paid shall be refunded to the petitioners.

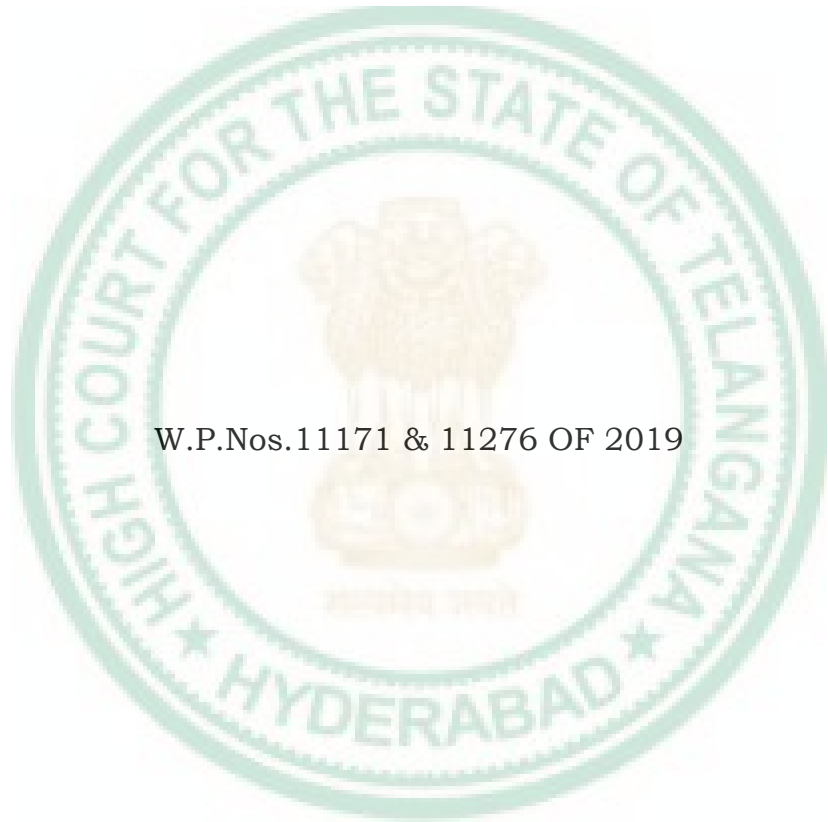
6. With the above observation and direction, both the writ petitions are disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date: 25.6.2019
DA

P. NAVEEN RAO, J



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