

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15815 OF 2019

Date:29.07.2019

Between:

Dasari Vijaya, W/o. Somaiah,
Aged about 37 years, Occ: Household,
R/o. Mothkur Village and Mandal,
Yadadri Bhongir District

.. Petitioner

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15815 OF 2019****ORDER:**

Heard.

2. Petitioner alleges that though building permission was granted to her by Mothkur Municipality on 25.12.2017, when it was Gram Panchayat, and she is undertaking construction as per the permission granted to her, she was issued notice dated 20.07.2019 by the Mothkur Municipality, consequent to the Gram Panchayat being made as Municipality, alleging that the petitioner is undertaking construction without any permission. She filed explanation on 22.07.2019 informing the authorities that she had obtained building permission but since period of construction limit expired, the same may be extended. Alleging inaction on the explanation and threatening to demolish the structure, this Writ Petition is filed.

3. It is not in dispute that building permission was granted on 25.12.2017 and admittedly she has not completed the construction. She has not filed application seeking extension of time for construction. Only on receiving notice on 20.07.2019 and in response thereof, she requested for extension in the form of representation.

4. As pointed out by learned standing counsel for Mothkur Municipality, application has to be made through online web portal seeking extension of time. On this statement, learned counsel for the petitioner requests leave of the Court to make an application,

as such, and pending consideration of the same, not to demolish the construction made by the petitioner.

5. Having regard to the same, the Writ Petition is disposed of granting liberty to the petitioner to make application for extension of time to complete the building in accordance with the permission alleged to have been granted to her on 25.12.2017 by the then Gram Panchayat and if such application is made within two weeks from today, the same shall be considered. If the petitioner was undertaking construction in accordance with the building permission granted earlier and within the norms prescribed, the application seeking extension of time shall be processed and appropriate decision be made within four weeks thereafter. Pending consideration of the said application, within the time granted above, no coercive action shall be taken against the petitioner. Further, the petitioner is directed not to make further construction till application submitted by her is processed and appropriate permission is granted. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:29.07.2019

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