

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20213 OF 2019

ORDER:

This Writ Petition is filed seeking to declare the action of the 3rd respondent - the Zonal Commissioner, East Zone, Greater Hyderabad Municipal Corporation, Hyderabad, in rejecting the layout regularisation application of the petitioner by the order dated 04.08.2016 in respect of Plot No.37, admeasuring 205 square yards in Survey No.49/13-B, situated adjacent to Shivapuri Colony and Janapriya Colony (backside of Siris Limited, L.B. Nagar), Bahadurguda Village, Saroornagar Mandal, Ranga Reddy District, holding that the subject property falls within 9 Meters of Canal without specifying the name of the canal and without assigning any reasons as illegal and arbitrary and consequently to set aside the said order.

2. A perusal of the record shows that the petitioner has raised various grounds and some grounds based on google maps as well.

3. Heard both sides and perused the material on record.

4. Learned counsel for the petitioner fairly submits that in terms of Rule 15 of Telangana Regularization of Unapproved and Illegal Layout Rules 2015 notified in G.O. Ms. No.151 dated 02.11.2015, statutory appeal has been preferred by the petitioner before the competent authority and the same is pending for consideration.

5. In view of the submission of the learned counsel for the petitioner that the petitioner has already invoked the alternative remedy available under the rules, interest of justice would be served if a direction is given to the competent authority to dispose of the same in accordance with law. Accordingly, the competent authority is directed to dispose of the statutory appeal preferred by the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order. It is needless to mention that the authorities shall consider all the grounds raised by the petitioner including the grounds raised herein by providing an opportunity of personal hearing.

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

As a sequel thereto, Miscellaneous Petitions, if any pending, in the writ petition stand closed.

September 18, 2019.

PV

CHALLA KODANDA RAM, J