

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22182 of 2019

ORDER :

Petitioner claims to be the owner and possessor of house plot adjacent to H.No. 3-1-201/2, Survey No. 21, Kakatiya Colony, Ward No. 3, Block No.1, Hanamkonda Revenue Village and Mandal, Warangal District. His case is that he obtained permission for constructing ground + 1 upper floor *vide* permit dated 11.02.2019 and has been making construction without deviating therefrom. However, it is the assertion of the petitioner the 5th respondent Building Inspector is visiting the site and harassing him.

Heard learned counsel for the petitioner.

Learned Standing Counsel for the respondent Corporation Smt. Pingali Lakshmi asserts that the petitioner had misrepresented the facts and obtained permission and in those circumstances, notice came to be issued invoking Section 450 of the Greater Hyderabad Municipal Corporation Act, 1955, as applicable to the respondent Warangal Municipal Corporation, and that the petitioner had already submitted his explanation.

Merely because the notice has been issued under Section 450 of the Act, the petitioner cannot be prevented from making any construction as long as permission granted in his favour is subsisting and that he is making construction strictly in accordance with the sanctioned plan. The duty of the Building Inspector is to ensure that construction is made in conformity with the sanctioned plan. Assuming there are any deviation therefrom,

the respondent Corporation is at liberty to take necessary action in accordance with law.

The Writ Petition is disposed of accordingly. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

01st October 2019

CHALLA KODANDA RAM, J

ksld

