

THE HON'ABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.223 OF 2020

Dated:09.01.2020

Between:

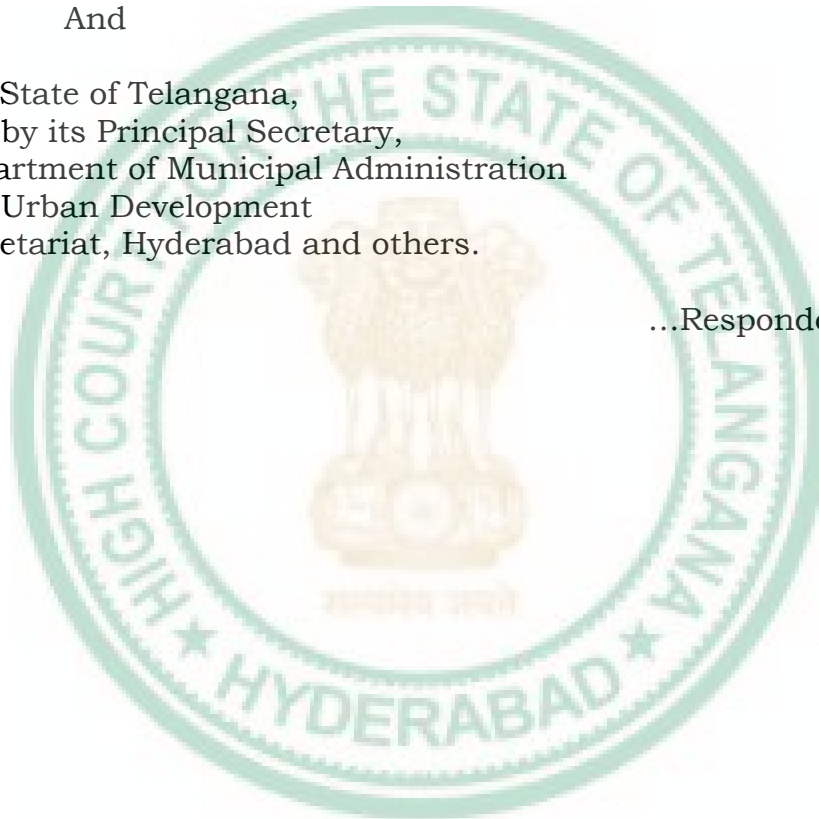
V.Bala Gangadhar Tilak
S/o V.Raghava Rao, aged about 62 years,
Occ:Retired Employee, R/o Flat No.G-5,
H.No.16-11-760/1, BuildingNo.130,
Gokul Ravi Apartments, Moosarambagh,
Hyderabad.

...Petitioner

And

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

...Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioner, Sri P.Krishna Reddy, learned Standing Counsel for respondent Nos.2 and 3 and Sri M.V.Suresh, learned counsel for respondent No.4

2. Petitioner is a resident of Flat No.G-5, H.No.16-11-760/1, Gokul Ravi Apartments, Moosarambagh, Hyderabad. He alleges that the residential owners welfare association of respondent No.4 is undertaking illegal construction of lift, which is against the sanctioned plan, and also objecting the passage of the petitioner. The petitioner opposed the said construction. But, the 4th respondent, M/s. Gokul Ravi Apartments, represented by its Secretary, is proceeding with the construction activity. Therefore, the petitioner made a complaint, dated 21.12.2019, to the 2nd respondent, the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, but, no action has been taken by the Corporation. Therefore, this Writ Petition is filed.

3. Learned Standing Counsel appearing for respondent Nos.2 and 3 and Sri M.V.Sureh, learned counsel, representing respondent No.4, fairly submit that so far permission is not granted to the 4th respondent to undertake construction of lift, but, however, submits that the lift is required as several persons residing in the apartment become old, suffering from physical problems and getting lot of difficulty in climbing stairs.

4. Photographs filed by the petitioner from page numbers 15 to 18 would disclose that construction activity is in full swing. Having regard to the fact that so far permission is not granted for construction of the lift, the 4th respondent, represented by its Secretary, could not have undertake the construction activity as the said action is illegal. The Writ Petition is disposed of with the consent of all the counsel.

5. Accordingly, the Writ Petition is disposed of directing respondent No.4, M/s Gokul Ravi Apartments Owners Welfare Association, represented by its Secretary, not to undertake construction of lift, without obtaining permission from the Greater Hyderabad Municipal Corporation. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

9th January, 2020

YVL

P. NAVEEN RAO, J

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