

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4938 of 2020

ORDER:

In this Writ Petition, it is the case of petitioner that she is the owner and possessor of plot bearing No.67, admeasuring 412 sq.yards, covered by Survey Nos.10 & 15/1 of Hydershakote Village, Badlagudajagir Municipality, Rajendranagar, Ranga Reddy District, having purchased the same under a registered sale deed dated 24.08.2005; that she applied for grant of permission for construction of building on the said plot and the Gram Panchayat officials accorded permission therefor vide proceedings dated 02.03.2019; that in the course of construction, the second respondent – Municipal Commissioner, Bandlagudajagir Village, Rajendranagar, Ranga Reddy District, issued a show cause notice dated 28.01.2020 requiring her to submit relevant documents and she submitted all such documents and that without considering the same, the second respondent issued another notice dated 02.02.2020 (sic) directing her to remove deviations. It is also her case that except issuing omnibus notice, there is no specified deviation pointed out by the second respondent. Her grievance is that though she submitted a representation dated 26.02.2020 to the second respondent stating that the construction being made by her is without any deviation,

the respondents may take coercive action in the backdrop of the aforesaid notices.

Sri N. Praveen Kumar, learned Standing Counsel for Municipalities, appearing for respondent Nos.2 and 3, submits that the second respondent would consider the representation stated to have been submitted by the petitioner on 26.02.2020 and pass appropriate orders.

In the light of the above, this Writ Petition is disposed of with the direction to the respondents that they shall not take any action in respect of the petitioner's construction without considering her objections and without passing any order in writing, as mandated in law.

Miscellaneous applications, if any pending, shall also stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

5th MARCH, 2020.

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