

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.9300 of 2021

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, and Sri Pasham Krishna Reddy, the learned Standing Counsel for GHMC for respondent Nos.2 and 3. With their consent, the Writ Petition is disposed of at the stage of admission.

This writ petition is filed seeking a writ of *mandamus* declaring the action of the respondent No.3 in issuing the impugned notice dated 30.03.2021 directing the petitioner to remove the structures made in the premises bearing No.8-15-32/113P and 114 situated at B.K.Puram, Mailardevpally Village, Rajendranagar Mandal, Ranga Reddy District, instead of considering the application submitted by the petitioner on 19.01.2021 for granting construction permission, in compliance of the order passed by this Court in W.P.No.3259 of 2021, dated 15.02.2021, as illegal and arbitrary.

A perusal of the record discloses that the petitioner earlier filed W.P.No.3259 of 2021 challenging action of the respondent No.3 in not considering the representation submitted by him on 19.01.2021 seeking building permission, and this Court has disposed of the said writ petition on 15.02.2021 directing the respondent No.3 to consider the representation submitted by the petitioner on 19.01.2021 and pass necessary orders thereon, strictly in accordance with law, within a period of four weeks from the date of receipt of a copy of that order. But, however, the respondent No.3, instead of complying with the order dated 15.02.2021 passed by this Court in W.P.No.3259 of 2021, has issued the impugned

notice under Section 636 of the Greater Hyderabad Municipal Corporation Act, 1955, dated 30.03.2021, directing the petitioner to remove the centring work for ground floor slab made in the subject premises.

Having regard to the facts and circumstances of the case, the impugned notice dated 30.03.2021 is set aside and the respondent No.3 is directed to consider the representation submitted by the petitioner on 19.01.2021 and pass necessary orders thereon, strictly in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. It is needless to mention that the respondent No.3 before passing any orders shall put the petitioner as well as any other interested person on notice and give them an opportunity of hearing. A copy of the order that may be passed by the respondent No.3 shall be communicated to the parties.

The writ petition is, accordingly, disposed of.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

Date : 26.04.2021
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A.ABHISHEK REDDY, J