

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.8850 of 2022

O R D E R:

This writ petition is filed questioning the action of 2nd respondent in not taking action pursuant to the notices dated 24.08.2021 and 27.10.2021 as illegal and arbitrary.

2. Heard Sri D. Ramakrishna, learned counsel for the petitioner and Sri N. Praveen Kumar, learned standing counsel for GHMC appearing for respondent No.2.

3. Learned counsel for the petitioner submits that the 3rd respondent is making unauthorized constructions and the petitioner has made representation to the Municipal Commissioner on 19.08.2021 to take appropriate action on the illegal constructions made by the 3rd respondent. He submits that a notice dated 24.08.2021 was issued by the respondent Corporation to the 3rd respondent under Section 174 and 178(2) of Telangana Municipalities Act, 2019 directing the 3rd respondent not to proceed with construction and to show cause within 3 days from the date of receipt of the said notice. He submits that in spite of the said notice, the 3rd respondent has proceeded with the construction and made illegal constructions and the grievance of the petitioner is that the respondent Corporation failed to take any action

on the said illegal constructions. Hence, the petitioner has come up before this court.

4. When the matter came up for hearing before this court on 27.04.2022, it is reported by the learned standing counsel that he has not received any instructions from the Municipal Commissioner, Gadwal Municipality. Recording the same, this court has directed the Municipal Commissioner, Gadwal Municipality to appear before this court and posted the matter on the reopening day after Summer Vacation, 2022. Today, the Municipal Commissioner, Gadwal Municipality is present before this court and he submits that earlier, the permission granted to the 3rd respondent was cancelled and later in TS-bPASS portal, he made an application and building permission was granted. He further submits that as per the orders passed by this court, they have removed the steps constructed by the 3rd respondent by encroaching the road on 20.05.2022. It is also submitted by him that even after removing the said steps, one extra floor was constructed by the 3rd respondent contrary to the sanctioned plan.

5. Learned standing counsel submits that after issuing notice to the 3rd respondent and after following the due process of law, they will take appropriate action on the unauthorized construction made by the 3rd respondent.

6. Recording the submission of the learned standing counsel, this writ petition is disposed of directing the respondent Corporation to remove the unauthorized structures made by the 3rd respondent in accordance with law within (4) weeks from the date of receipt of copy of the order.

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

7th June, 2022

gvl

LALITHA KANNEGANTI, J