

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.42741 of 2022

O R D E R:

This writ petition is filed with the following prayer;

“...to issue, a Writ, Order or Orders more particularly one in the nature Writ of Mandamus declaring the action of the respondents particularly respondent No. 1 to 4 herein in not demolishing the illegal and unauthorized ongoing construction of Stilt plus Five Upper Floors raised by the respondent No.5 in the premises bearing Municipal H.No.10-3-282/2/A/8, situated at Humayun Nagar, Hyderabad inspite of bringing notice to the official respondents i.e. respondent corporation by way representations dated 18.07.2022 is as illegal arbitrary and unconstitutional besides gross violation of the provisions of the Hyderabad Municipal corporation Act 1955 consequently direct the official respondents i.e. respondent No.1to4 herein to remove / demolish the illegal and unauthorized construction of Stilt plus Five Upper Floors raised by the respondent No. 5 in the premises bearing Municipal H.No.10-3-282/2/A/8 situated at Humayun Nagar, Hyderabad in the interest of justice and pass”.

2. Sri Mohd. Raheem Baig, learned counsel for the petitioner submits that the petitioner gave a representation dated 18.17.2022 to the respondents stating that the neighbour is making construction of 5 upper floors without any permission

from the respondent corporation and the respondent corporation failed to take any action.

3. Sri K. Sidharth Rao, Learned Standing Counsel, submits that the respondent authorities issued notice under sections 452(1), and 461(1) of Greater Hyderabad Municipal Corporation Act, 1955 on 27.04.2022 directing the respondent No.5 to submit his explanation and also directed him to stop the work forthwith. He further stated that the unofficial respondent has made construction of 3rd , 4th and 5th floors illegally and unauthorizedly and stilt+ 2 upper floors in deviation of the sanctioned plan . He further stated that the respondent No.5 failed to submit any reply to the said notice. He submitted that the respondent authorities will take further action against respondent No.5 as the respondent No.5 failed to submit any reply to the notice issued way back on 27.04.2022.

4. In view of the above this writ petition is disposed of directing the respondent authorities to take further steps in accordance with the law and the entire process shall be completed within the period of three weeks (3) from the date of receipt of a copy of the order.

5. Miscellaneous applications, pending if any, shall stand closed.

November 25, 2022
ssm

LALITHA KANNEGANTI, J