

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.83 OF 2015

ORDER

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This writ petition is filed seeking *Writ of Mandamus* declaring the action of the respondent Nos.3 and 4 in issuing the impugned notices dated 08.10.2014, 05.11.2014 and 17.11.2014 proposing to demolish the property of the petitioner situated at H.No.16-2-740/C/16/C, Asmanghad, Malakpet, Hyderabad, as illegal and arbitrary and consequently to set aside the same.

The case of the petitioner is that she is the absolute owner and possessor of the house bearing Municipal No.16-2-740/C/16/C admeasuring 325 sq.yards situated at Asmanghat, near Mumtaz Colony, Malakpet, Hyderabad by virtue of registered sale deed dated 12.06.2000. It is submitted that petitioner earlier made an application before GHMC, Hyderabad seeking permission for regularization of the residential building and the same was regularized by the 3rd respondent. While so, the 3rd respondent issued notices dated 08.10.2014, 05.11.2014 and 17.11.2014 for demolition of the part of the property of the petitioner. In pursuant to the same, the petitioner submitted her explanation on 22.12.2014 stating that she is ready to pay the penalties to GHMC for regularisation of the building. Without considering the explanation submitted by the petitioner, the respondents are proceeding to demolish petitioner's building. Challenging the same, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Sri C.Damodar Reddy, learned Standing Counsel for the respondent-Corporation on the other hand submits that since the petitioner has submitted explanation to the show cause notice issued by the 3rd respondent under Section 452 of the HMC Act, the respondents will consider the same and pass appropriate orders in accordance with law and till then, they are not going to demolish the building of the petitioner.

In view of the submission made by the learned Standing counsel for

respondent corporation, this writ petition is disposed of directing the respondents to consider the explanation submitted by the petitioner and pass appropriate orders in accordance with law. Till then, *status-quo* shall be maintained by both the parties. However, petitioner shall not make any further constructions without obtaining valid permission from the Municipal Corporation, Hyderabad.

This Writ Petition is accordingly disposed of. The miscellaneous petitions pending if any shall stand disposed of. There shall be no order as to costs.

A.RAJASHEKER REDDY,J

Date: 18.02.2015

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