

(2021) 05 TEL CK 0006
In the Telangana High Court
Case No : Writ Petition No. 12320 Of 2021

Bhupathi Rajeshwari

APPELLANT

Vs

State Of Telangana Another

RESPONDENT

Date of Decision : 13-05-2021

Acts Referred:

Citation : (2021) 05 TEL CK 0006

Hon'ble Judges : A. Abhishek Reddy, J

Bench : Single Bench

Advocate : M. Ramalingeswara Reddy

Final Decision : Disposed Of

Judgement

The present writ petition is filed to declare the proceedings dated 04.05.2021 issued by the respondent No.2 directing the petitioner to stop the construction immediately and to remove the deviated portions within seven days, as illegal and arbitrary.

A perusal of record discloses that the petitioner has deviated from the sanctioned plan and has made constructions without leaving the front set backs.

Once the building permission is granted subject to the conditions that are imposed therein, the petitioner is bound to follow the same. There cannot be

any exemption from the same, more so, if the deviation is on the road side and is likely to affect the road margin. Therefore, this Court is not inclined

to entertain this Writ Petition.

However, the learned counsel for the petitioner has stated that in case the official respondents proceed to demolish the deviated portions, the entire

building constructed by the petitioner will be damaged beyond repairs and the petitioner will sustain heavy loss.

Having regard to the above made submissions, the petitioner is directed to remove the deviated portions at her own costs, within a period of two weeks from the date of receipt of a copy of this order. The official respondents are directed to inspect the premises in question after two weeks and in case the petitioner has not removed the deviated portions, they are free to remove the deviated portions. Till such time the official respondents are directed not to take any coercive steps against the petitioner.

Subject to the above directions, the writ petition is disposed of.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.