
(2020) 10 TEL CK 0003
In the Telangana High Court
Case No : Writ Petition No. 17612 Of 2020

J. Yadagiri

APPELLANT

Vs

State Of Telangana And Others

RESPONDENT

Date of Decision : 07-10-2020

Acts Referred:

Citation : (2020) 10 TEL CK 0003

Hon'ble Judges : A. Abhishek Reddy, J

Bench : Single Bench

Advocate : Gaddam Srinivas

Final Decision : Disposed Of

Judgement

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration Urban Development, the learned Standing Counsel for Municipalities, and the learned Standing Counsel for Hyderabad Metropolitan Development Authority. With their consent, the Writ Petition is disposed of at the stage of admission.

The present writ petition is filed aggrieved by the action of the respondent Nos.2 and 3 in not stopping the construction activity undertaken by respondent No.4 in the land admeasuring Acs.4-39 guntas in survey No.343/10 situated at Ameenpur village and Mandal, Sanga Reddy District, without obtaining any permission, in spite of the complaint dated 17.09.2020 lodged by the petitioner.

The learned Standing Counsel appearing for respondent No.2, on instructions, has stated that even though the respondent No.4 had initially on 23.07.2018 obtained permission for construction of a building, the same has expired by 23.07.2020 and till date respondent No.4 has not applied for any renewal, and that as of now there is no construction activity in the subject land. Learned Standing Counsel, has stated that the complaint dated 17.09.2020 made by the petitioner will be considered and necessary orders will be passed on merits.

Learned Standing Counsel for respondent No.3-HMDA has stated that the Secretary, who is an IAS Officer of the respondent No.3 authority, may be directed to dispose of the complaint made by the petitioner on 17.09.2020.

In view of the above made submissions, the respondent No.2 as well as the Secretary of respondent No.3-HMDA are directed to consider the complaint dated 17.09.2020 made by the petitioner, strictly in accordance with law and pass necessary orders on merits. It is needless to mention that in case any application for renewal of the building permission is made by respondent No.4, the objections of the petitioner shall be taken into consideration before granting the same. It is needless to mention that the authorities shall be put the petitioner as well as respondent No.4 on notice and afforded them an opportunity of hearing before passing any order.

Accordingly, the Writ Petition is disposed of.

A copy of this order shall also be communicated to the Secretary, HMDA, for taking necessary steps.

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