

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

* * * *

WRIT PETITION No.18889 OF 2011

—

—

Between:

Mohd. Azam Khan

.. Petitioner

And

The Commissioner of Police,
Basheerbagh, Hyderabad, and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

- | | |
|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.18889 of 2011

ORDER:

The grievance of the petitioner was that the police authorities were not providing assistance to the Greater Hyderabad Municipal Corporation (GHMC) for demolition of illegal constructions made in

Sy.No.32, Asifnagar Village, Hyderabad.

It is noticed that letter dated 30.12.2009 was addressed on behalf of the Commissioner of GHMC to the Deputy Commissioner of Police (West Zone), Hyderabad, requesting to provide sufficient police assistance to the municipal authorities to take up demolition of unauthorized constructions in Sy.No.32, Asifnagar, Hyderabad. However, in response thereto, the Inspector of Police, Tappachabutra Police Station, Hyderabad, stated that the police were unable to provide the required bandobasth on short notice owing to the agitation for separation of the erstwhile State of Andhra Pradesh.

A counter-affidavit was filed by the Inspector of Police, Tappachabutra Police Station, in September 2011 stating that as and when the municipal authorities require police assistance, the police authorities were willing to provide it in accordance with law.

It is now stated by the learned counsel for the petitioner that apart from the illegal constructions which were in existence at that point of time in the year 2011, several new illegal constructions have also come up.

This Court is not inclined to go into that aspect of the matter. It is for the GHMC to take appropriate action in accordance with law in the event any illegal constructions have come up in the subject land.

As the police authorities undertook to provide the required protection and as no circumstances exist warranting the police authorities to not do so, the writ petition is disposed of permitting the GHMC to approach the police authorities for necessary protection as and when required for carrying out demolition of illegal constructions in the subject land and in the event such a request is made, the police authorities shall take action thereupon in accordance with law expeditiously.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

20th July, 2015
IBL

JUSTICE SANJAY KUMAR