

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.35882 of 2015

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Dated 19th November, 2015

Between:

Mohammed Anwar Ahmed

...Petitioner

And

Mohd.Haroon Khan and others

...Respondents

Counsel for the petitioner: None appeared

Counsel for the respondents: ---

The Court made the following:

ORDER:

This writ petition is filed complaining that respondent Nos.3 to 6 are not taking action against respondent Nos.1 and 2 in digging their premises situated within less than 100 feet from the Charminar.

Considering the fact that the petitioner is the immediate neighbour of respondent No.1 in laad bazaar and suspecting that due to personal reasons, the petitioner has filed this writ petition, this Court has passed the following order on 04.11.2015:

“The learned counsel for the petitioner has not disputed that his client’s shop is also situated within the prohibited distance from the Charminar. As *prima facie* this Court feels that filing of this writ petition is due to trade rivalry, to show his *bona fides*, the petitioner shall file an affidavit undertaking that he will not indulge in digging of his premises in future even if such need arises in order to protect the monument of Charminar. The petitioner must also indicate the details of his business and also that of respondent No.1 in his affidavit.”

Today, at the hearing, there is no representation for the petitioner. No affidavit as directed by this Court is filed. These facts would further strengthen the suspicion of this Court that the writ petition is filed due to animosity between the petitioner and respondent No.1. As the petitioner has no *bona fides* in filing this writ petition, the same is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.46129 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

19th November, 2015

VGB