

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.26387 OF 2011

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DATED: 24.06.2015
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Between:

Nisaruddin Ahmed Jeddy

.. Petitioner

And

Government of Andhra Pradesh,
Rep. by its Chief Secretary, Hyderabad,
and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.26387 of 2011

ORDER:

This writ petition was filed assailing the action of the police and the municipal authorities in not taking steps in connection with the encroachment and parking of vehicles by the customers of the 6th respondent on Hyderguda main road and the footpath adjacent to Gunfoundry lane and opposite the residence of the petitioner.

The Additional Commissioner of Police, Traffic, Hyderabad, filed a counter-affidavit, wherein he stated that the 6th respondent had sufficient parking area but, as its customers were sometimes parking their vehicles on the road itself, notice had been issued to it on 28.07.2010 asking it to take steps to prevent illegal parking by its customers. Consequent thereto, the 6th respondent employed five security guards to oversee the valet parking arrangements.

Sri P. Kesava Rao, learned counsel for the Greater Hyderabad Municipal Corporation, relying on the counter-affidavit filed by his client, states that the Corporation had been taking all possible

measures to prevent encroachment of the public road.

The 6th respondent also filed a counter explaining the steps taken by it to prevent illegal parking by its customers.

All these counters were filed as long back as in the years 2011 and 2012. However, the petitioner did not choose to file an affidavit in reply rebutting the averments made in the said counters.

The grievance of the petitioner was with regard to the position obtaining in the year 2011. The counter-affidavits set out the steps taken to redress the said grievance at that point of time. There is no indication as to whether the grievance still subsists. As no reply-affidavit has been filed by the petitioner, it cannot even be inferred that the grievance survived even in the year 2011 after the police authorities interfered in the matter and made the 6th respondent appoint security guards. In that view of the matter, no adjudication is warranted in this case at this stage.

The writ petition is therefore dismissed leaving it open to the petitioner to seek redressal of his grievance, if it still persists, by way of fresh proceedings initiated in accordance with law before the competent forum.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

24th June, 2015

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