

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.4954 of 2015

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ORDER:

Heard.

The petitioner claims that he runs Telephone Booth at premises bearing No.17-3-536/1 near Bada Bazar, Yakutpura and the said Booth is situated outside the wall of Muslim burial ground. According to the petitioner, there is no inconvenience and disturbance to anybody. But, however, alleging that the 3rd respondent has been threatening to book cases against him and threatening him to vacate from the place in question, the present writ petition is filed.

A counter affidavit has been filed on behalf of the 3rd respondent, wherein while denying the allegations made by the petitioner it is stated that the wakf property being a graveyard is under the management of Mutavalli and the petitioner's telephone booth exists on the land of the graveyard. It is also stated that a complaint was also received against one Sameer alleging that he encroached the land of graveyard and installed Tin and Wooden Boxes. The complaint received regarding encroachment is forwarded to the Additional Commissioner, GHMC, Sardhar Mandal, Charminar, on 19-11-2014 for taking appropriate legal action.

It is further stated that the 3rd respondent never approached the petitioner nor forced him to vacate from the place in question nor violated any principles.

Since the 3rd respondent stated that except addressing letter to the Additional Commissioner, GHMC, Sardhar Mahal, Charminar, dated 19-11-2014, referred to above, he has not interfered with the petitioner or his booth, no further directions are called for in the present writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 09-03-2015

Prv

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