

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

WRIT PETITION No.40161 of 2015

-
11.12.2015

Between:

Md.Asia Begum

.. Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.S.Harinath Reddy Soma

Counsel for respondent No.1: Government Pleader for
Municipal Administration and Urban Development (AP)

Counsel for respondent Nos.2 to 4: --

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent Nos.2 and 3 in seeking to interfere with and trying to demolish the petitioner's structures forming part of premises bearing D.No.23/898 (old No.23/1428) of Wahebbpet, Beside Bhavani Residency, near Madras Bus Stand, Nellore, S.P.S.R.Nellore District, without notice, as illegal and arbitrary.

On 10.12.2015, Mr.Ancha Panduranga Rao, learned standing counsel for the Municipal Corporations, appearing for respondent Nos. 2 to 4, has taken time for obtaining instructions. Today, at the hearing, he has submitted that respondent Nos.2 and 3 have started identifying the buildings constructed with encroachments and that so far no action has been initiated for removal of those buildings. He has further submitted that as and when action for removal of such buildings is proposed, the said respondents will follow due process of law.

In the light of the above submissions, the Writ Petition is disposed of with the direction to respondent Nos.2 to 4 not to take action for removal of the building of the petitioner without following due process of law.

As a sequel to disposal of the writ petition, W.P.M.P.No.51845 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

11th December, 2015

GHN

