

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4766 of 2015

Dated : 15.06.2015

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Between:

Kamma Ram Chandra Rao S/o.Late Kondaiah,

Aged about 64 yrs, Occu : Business,

R/o.H.No.16-7-29-38, Grain Market,

Warangal, Warangal District & 2 others

.. Petitioners

And

The Greater Warangal Municipal Corporation,

Rep., by its Commissioner,

Warangal, Warangal District & another

.. Respondents

This Court made the following :

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ORDER :

The petitioners challenge the notice dated 21.02.2015 issued by the Greater Warangal Municipal Corporation, where under, the petitioners were directed to vacate the subject premises and to remove the temporary sheds within twenty four hours failing which, petitioners were warned that the same would be removed by the Corporation and the amount incurred for undertaking such exercise would be charged from them. Hence, this Writ Petition

2. Learned counsel for the petitioner contends that on the same subject matter

there were two decrees passed by the competent courts and even LGC No.26 of 1989 filed by the Government and then Selection Grade Municipality now the Greater Warangal Municipal Corporation also ended in favour of the petitioners and the order impugned passed against them is in violation of the said decrees, order of the LGC Court and therefore, is not maintainable.

3. Learned Standing Counsel produced a letter dated 11.06.2015 addressed by the Commissioner, Greater Warangal Municipal Corporation, to the Standing Counsel, informing that on a review of the entire issue, the Corporation has decided not to pursue the said course of action as was indicated in the impugned notice dated 21.02.2015 and to take appropriate course of action as warranted by law.

4. Having regard to the same, the Writ Petition is allowed setting aside the proceedings impugned in the Writ Petition. However, it is open to the respondent-Corporation, to take appropriate course of action as warranted by law and this order does not come in the way of Corporation in taking recourse to the remedies as available in law. There shall be no order as to costs.

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

P.NAVEEN RAO,J

15th June, 2015

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