

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29107 OF 2010

ORDER:

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the action of the respondents in issuing notice bearing No.10, dated 08.09.2010, under Section 636 of the Hyderabad Municipal Corporation Act, 1955 as illegal, arbitrary and contrary to the said Act, and consequently, to set aside the same and direct the respondents not to interfere with the petitioner's business under the name and style of "Swathi Tiffins" at premise bearing No.12-2-825/10/3 situated at Mehdipatnam, Hyderabad.

2. When the matter came up for admission on 23.11.2010, this Court ordered that demolition shall not take place and directed the petitioner to take effective steps for securing alternative premises for parking the motor vehicles of his patrons. Again, when the matter was listed on 30.11.2010, learned counsel for the petitioner stated that adequate steps have been taken for providing parking space to the motor vehicles and hence, there is no violation. When the matter was listed on 31.3.2011, learned counsel for the petitioner submitted that parking facility has already been provided.

3. Sri M.A.K.Mukheed, learned counsel for the petitioner, states that adequate parking space is made available by the petitioner to his patrons. Learned Standing Counsel for the respondent Corporation states that the respondent Corporation may be permitted to take appropriate action against the petitioner if adequate parking space is not made available.

4. In terms of the interim order, dated 31.3.2011, the Writ Petition is disposed of. However, it is open for the respondent Corporation to take appropriate action in accordance with law against the petitioner if he does not provide sufficient space for

parking the motor vehicles of his patrons. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 30.09.2015

AMD

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