

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27965 of 2015

DATED : 03.09.2015

Between :

M/s. Jameel Bedi Factory @ Jameel & Company,
11-23-1147, L.B.Nagar, Warangal
rep., by its Managing Director, Mr. Shakeel Ahmed,
S/o.Mr.M.A.Raoof Jameel, Aged about 31 yrs,
Occu : Business, R/o.H.No.14-8-200,
Narsampet Road, Warangal District.

.. Petitioner

and

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration and Urban Development Department,
Secretariat, Hyderabad-TS & another.

.. Respondents

This court made the following :

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ORDER :

The petitioner challenges the decision of the respondent-Corporation in taking penal action against the petitioner and demolishing the tin shed which was existing on the ground floor and surrounded by walls. The petitioner also alleges that the respondent-Corporation is trying to remove the walls of other portion belonging to the petitioner company.

2. On instructions, learned Standing counsel submits that the steps taken against the petitioner are only in pursuant to the notice issued under Section 636 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the HMC Act'), which deals with removal of tin shed constructed on the existing ground floor and no structures other than the above, are proposed to be removed. She further submits that some portion was removed and because of an undertaking given by the petitioner on 26.08.2015, further removal was not made. In the said undertaking the petitioner himself requested seven days time to settle the issue. Having given an undertaking to settle the issue,

this writ petition is filed, challenging the very same action of the respondent-Corporation.

3. *Prima-facie*, the petitioner has not come to this Court with clean hands. Be that as it may, after following due procedure only, the respondent-Corporation has taken steps to remove the tin shed, as per the notice issued. Learned Standing counsel clearly states on instructions, that other than the one structure which is covered by notice under Section 636 of HMC Act, no other structure was proposed for removal though the Corporation has also noticed some other illegal structures made and some disputes regarding the title to the property.

4. Having regard to the said statement, I see no merit in the writ petition and accordingly it is dismissed. If the petitioner do not co-operate for removal of illegal structures, as per the undertaking given by him, it is open to the respondent-Corporation to take further course of action as warranted by law. There shall be no order as to costs.

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

3rd September, 2015.
Rds

P.NAVEEN RAO,J