

THE HON'BLE SRI JUSTICE RAJA ELANGO

W.P. No.30621 of 2010 and
W.P. No.15424 of 2011

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COMMON ORDER :

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These two writ petitions can be disposed of together, in view of the issue involved and as the parties are also the same.

2. The Writ Petition No.30621 of 2010 is filed seeking to issue a Writ of *Mandamus* to declare the impugned Memo.No.610/2010-B1 (Pts), dated 03-11-2010 of the 1st respondent and consequential demolition notice No.GPN/60/2010, dated 24-11-2010 issued by the 2nd respondent as illegal and arbitrary and consequently set aside the same.

3. Subsequently, the Writ Petition No.15424 of 2011 is filed seeking to issue a Writ of *Mandamus* to declare the illegal action of the 2nd respondent in resorting to demolish the petitioner's compound wall built in plot Nos.3 and 4 admeasuring 35 guntas in Sy.No.32 of Nagaram Village, Keesara Mandal, R.R.District, only at the instance of 3rd respondent for ulterior reasons, without conducting survey so as to establish that the petitioners encroached the roads of the layout, even though petitioners purchased said plots after getting it surveyed through Inspector, Survey & Land

Record, R.R.District with tippan plan, even though statutory duty cast upon the official respondents to act in accordance with law before taking coercive steps of demolition, as illegal and arbitrary and consequently direct the respondents not to interfere and demolish the aforesaid compound wall of the petitioners without conducting survey.

4. This Court by an interim order dated 10-06-2011 in W.P.M.P. No.18494 of 2011 in W.P.No.15424 of 2011, while granting interim stay of demolition of the petitioners' compound wall, directed the respondents to go ahead with the survey in pursuance of the notice and demarcate the boundaries. Consequently, the respondents have conducted the survey after issuing notice to the petitioners herein.

5. The learned counsel for the petitioners submitted that petitioners are not having any grievance, since the survey has been conducted by the respondents as per their prayer.

6. Recording the submission made by the learned counsel for the petitioners, the Writ Petitions are closed, as no orders are necessary. There shall be no order as to costs in both the writ petitions. As a sequel, miscellaneous petitions pending, if any, in both the Writ Petitions are closed.

JUSTICE RAJA ELANGO

13th February, 2015

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