

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. No. 14554 OF 2014

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ORDER :
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This writ petition is filed seeking writ of mandamus declaring the action of the respondent authorities in threatening to demolish the structures in premises bearing No.4-8-68/A/19, Rang Mahal Road, Putlibowli, Hyderabad, without issuing any notice and without following due process of law, as illegal and arbitrary.

2. It is the case of the petitioner that he is tenant of premises bearing No.4-8-68/A/19, Rang Mahal, Putlibowli, Hyderabad, on monthly lease in the year 2004 for the purpose of establishing a hotel and established a hotel in the name and style of Hotel Sai Residency. It is stated that when the respondent authorities tried to demolish the structures for the purpose of road widening, the petitioner filed W.P.No.19792 of 2011 and as the learned Standing Counsel for the GHMC submitted that no steps are being taken for demolition of the petition schedule property without following the due procedure, the said writ petition was disposed of directing the respondent authorities not to resort to demolition of the property in question, without following the due process of law. But all of a sudden, the respondent authorities came to the site on 04.03.2014 and made marking on the building for demolition. Aggrieved by the same, the present writ petition is filed.

3. Heard learned counsel for the petitioners as well as learned Standing Counsel for the respondents.

4. Learned counsel for the petitioner submits that though there was an order passed by this Court in W.P.No.19792 of 2011 on 14.07.2011, the respondent authorities are proceeding to demolish the property in question, without following the due process of law.

5. On the other hand, learned Standing Counsel for the respondent Corporation submits that proceedings under Land Acquisition Act have

been initiated in respect of the land under the occupation of the petitioner. He would further contend that an Award was passed on 31.10.2013 and when there was a dispute with regard to receipt of compensation, the same was deposited in the Court of the Chief Judge, City Civil Court, Hyderabad in State Bank of Hyderabad, vide cheque bearing No.925340 on 16.01.2014. He also produced a letter dated 12.03.2014 showing the deposit of compensation before the Chief Judge, City Civil Court, Hyderabad wherein reference is also made with regard to Award dated 31.10.2013.

In view of the facts and circumstances, it cannot be said that the respondents have resorted to demolish the structures in question, without following the due process of law. As such, there is no merit in the writ petition.

Accordingly, the writ petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

20.01.2015.
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A.RAJASHEKER REDDY, J

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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