

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.945 OF 2015

ORDER

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This writ petition is filed for a writ of mandamus declaring the action of the 2nd and 3rd respondents in trying to demolish the structures in respect of the petitioners' property bearing H.No.2-6-281 and H.No.2-6-282 situated at C.V.R.N. road Locality, Karimnagar Town, Karimnagar District without issuing any notice as illegal and arbitrary and for a consequential direction to the respondents not to demolish the petitioners' property.

The case of the petitioners is that they have purchased the property bearing H.No.2-6-281 and H.No.2-6-282 situated at C.V.R.N. road Locality, Karimnagar Town, Karimnagar District by virtue of registered sale deed dated 09.07.2008 and that the petitioners being the absolute owners are paying taxes regularly. While so, the, the 2nd and 3rd respondents visited the petitioners' premises on 12.12.2014 and made an attempt for demolition of houses and shops by marking with red colour, without there being any prior notice to the petitioners as contemplated under the GHMC Act, 1955. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioners.

Sri R.A.Chary, learned Standing Counsel for the 2nd respondent-Municipal Corporation on instructions submits that the respondent Corporation is not interfering with the petitioners' property as of now. If, in any case, the need arises, they would follow the due process of law.

In view of the above submission made by the learned Standing Counsel for the 2nd respondent, the writ petition is disposed of directing the respondents not to evict the petitioners without following due process of law. In case, the respondent Corporation wants to evict the petitioners, it is at liberty to initiate appropriate proceedings in accordance with law.

As a sequel, miscellaneous petitions pending if any, shall stand

closed.

REDDY,J

Date: 23.01.2015

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A.RAJASHEKER
