

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.508 OF 2015

ORDER

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This writ petition is filed for a writ of mandamus holding that the action of the respondents 1 to 9 in not taking any action on the representation of the petitioner association dated 08.01.2015 for demolition of the wall illegally and unauthorizedly constructed by the 11th respondent, separating the parking area from the building known as "Needs Arcade" bearing D.No.4-3-542 to 4-3-548 situated at Boggulakunta, Abids, Hyderabad and not removing the nursery established by the 11th respondent in the parking area and further not ensuring the said parking space to be used as parking area for parking the vehicles of the members of the petitioner association and their complex, as illegal and arbitrary.

The case of the petitioner is that it is an association where its members are all the tenants of the commercial complex known as "Needs Arcade", situated at Boggulakunta, Hyderabad and a specific area to an extent of 2000 sq.yards is earmarked as parking space to be used by the members of the petitioner association for parking their vehicles. While so, the said parking area was occupied by the 11th respondent by constructing a wall, for running a nursery. Aggrieved by the same, the petitioner association submitted a representation dated 08.01.2015 to the 4th respondent for demolition of the wall illegally constructed by the 11th respondent separating the parking area from the building. Since no action has been taken by the respondents, the present writ petition is filed.

Heard both sides.

Learned counsel for the respondent-corporation produced proceedings dated 21.01.2015, showing that the action has been initiated for removal of the said nursery.

Sri. M.A.K.Mukheed, learned counsel appearing for 7th and 8th respondents submits that the subject parking area is a private property

belonging to 10th respondent.

In view of the proceedings dated 21.01.2015 issued by the respondent-corporation, the cause in the writ petition does not survive for adjudication. Hence, the Writ Petition is closed. However, if the respondents have any objections, they can file the same before the respondent-corporation and the respondent corporation shall consider the same and pass appropriate orders in accordance with law.

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

A.RAJASHEKER

REDDY,J

Date: 28.01.2015

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