

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.35906 of 2014

Date:30.04.2015

Between:

Eagle Fisheries, rep.by its proprietor

Rukuddin S/o.Riazuddin and two others

.... Petitioners

AND

The State of Telangana, represented by its

Principal Secretary, Municipal Administration & Urban

Development, Secretariat buildings,

Hyderabad and 5 others

.... Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.35906 of 2014

ORDER:

This writ petition is filed for a *Mandamus* declaring the action of the respondents authorities in initiating demolition process of the premises shops bearing Dr.No.9-1-38/1, 9-1-38/2, 9-1-38/3 and 4 of YMCA, Secunderabad as illegal and arbitrary and for a consequential direction to the respondents to make alternative arrangements for business premises by paying compensation.

2. The case of the petitioners is that they are the tenants of shop Nos.9-1-38/1, 9-1-38/2, 9-1-38/3 and 4 of YMCA, Secunderabad and they have been issued notices to vacate the said shops premises and deliver possession to the Special Deputy Collector, Land Acquisition, GHMC, Hyderabad. Now, the case of the petitioners is that entire shops premises are not being acquired by the respondents' authorities for the purpose of laying metro rail line and only portions of the property are acquired by them. As such, they filed a representation dated 27.04.2015 for demarcation of the property acquired and after demarcation, they do not have any objection for taking over the property, which is acquired by the respondents.

3. Heard the learned counsel for the petitioner and Sri K.Vivek Reddy, learned counsel appearing for respondent No.5.

4. At the time of hearing, it is stated by the learned counsel for the 5th respondent Sri K.Vivek Reddy, that after demarcation only, they will take possession of the property, which has been acquired by them as per the award dated 21.01.2015.

5. In view of the same, there shall be a direction to the respondents 3 to 5 to demarcate the property, which is being acquired by them and take possession of the same leaving the unaffected portion.

6. With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date:30.04.2015

Rns

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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