

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.41393 OF 2015

DATED:28-12-2015

Between:

Khandavilli Lova Raju ... Petitioner

And

The State of Andhra Pradesh
Represented by its Principal Secretary
(Municipal Administration & Urban Planning)
Secretariat
Hyderabad
and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. Chandra Sekhar Ilapakurti

COUNSEL FOR RESPONDENT NOS.1 AND 2: A.G.P. for Municipal
Administration (AP)

COUNSEL FOR RESPONDENT NO.5 : A.G.P. for Roads &
Buildings
(AP)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to set aside the proceedings in letter Roc. No.1547/2015/A2, dt.11.11.2015, of respondent No.2 whereby he has directed respondent No.3 to convene a meeting under Schedule I Rule 3(1) of the Andhra Pradesh Municipalities Act, 1965, to discuss about order dt.3.11.2015 in P.I.L. No.256 of 2015, passed by this Court, to stop the demolition of four shops pertaining to respondent No.3 – Municipality. The petitioner sought for a consequential declaration that the requisition given by respondent Nos.6 to 17 to convene the meeting of respondent No.4 - Municipal Council, is illegal and arbitrary.

At the hearing, Mr. Chandra Sekhar Ilapakurti, learned counsel for the petitioner, submitted that in pursuance of the impugned letter of respondent No.2, respondent No.4 has held the meeting on 18.12.2015 and that no specific resolution was passed. In view of this subsequent event, whereby no decision, as apprehended by the petitioner for stopping demolition of the shop rooms in connection with the widening of the road, is taken, though the meeting was held, the impugned letter has outlived its purpose. Moreover, in the light of the Division Bench order dt.3.11.2015, if respondent No.4 acts contrary thereto, the petitioner is entitled to avail appropriate legal remedy.

The writ petition is accordingly disposed of as infructuous with liberty to the petitioner in terms of the observations made hereinbefore.

As a sequel to disposal of the writ petition, W.P.M.P. No.53436 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

28-12-2015

bnr

