

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

Writ Petition No.26852 of 2015

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Dated 25th November, 2015

Between:

Dhanaraj Singh

...Petitioner

And

The State of Telangana, rep.by its Principal Secretary, Municipal Administration & Urban Development Authority, Secretariat Buildings, Hyderabad and others

...Respondents

Counsel for the petitioner: Sri M.Durga Prasad

Counsel for respondent No.1: GP for Municipal Administration (TS)

Counsel for respondent Nos.6 & 7: Ms.Manjusha Bharadwaj

for Sri Srinivasa Rao Velivela

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to set aside proceedings bearing No.139/TPS/C7/CZ/W13/2015, dated 18.03.2015, of respondent No.4.

The stand taken by respondent No.4 in the impugned proceedings that in the face of the decree, dated 31.12.2000, in O.S.No.4534 of 2009, on the file of the learned VI Additional Junior Civil Judge, City Civil Court, Hyderabad, no action can be taken is unsustainable as the civil Court while granting the decree has left the Corporation free to proceed against respondent Nos.6 and 7 if they are found to have constructed extra floors. Therefore, respondent Nos.2 to 5 are directed to initiate appropriate action against the extra floors admittedly raised by respondent Nos.6 and 7 by following due process of law. They shall complete this process within a period of two months from the date of receipt of a copy of this order.

Subject to the above direction, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.34868 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

25th November, 2015

VGB