

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

W.P.No.5802 of 2015

ORDER

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for R1, Smt A. Deepthi, learned Standing Counsel for respondents 2 and 3 and learned Government Pleader for Revenue (TG) for respondent No.4.

2. This writ petition is filed seeking to declare the action of second and third respondents in demolishing the structures of the petitioner's house situated at plot No.9 in Sy.No.844/1 at Hill Top Colony, Malkajgiri, Ranga Reddy District, as illegal and arbitrary.

3. The petitioner had purchased plot No.9 in Sy.No.844/1 situated at Hill Top Colony, Malkajgiri, Ranga Reddy District and a patta was also issued in his favour. The petitioner and others have filed W.P.No.18452 of 2011, wherein this Court directed the respondents not to demolish the structures in question without following due process of law. While so, the second and third respondents, without issuing any notice, along with their staff came to the house of the petitioner and trying to demolish the structures even though his application for regularization is pending with the second respondent. On 16.12.2014, the petitioner made a representation to the third respondent to consider the orders passed by this Court in W.P.No.18542 of 2011 and the same is pending.

4. Learned Standing Counsel for respondents 2 and 3, on instructions, submits that as per the interim orders of this Court in

W.P.No.18542 of 2011, in which the petitioner is shown as third petitioner, they are not touching the property of the petitioner. She also submits that as the petitioner and others have already filed W.P.No.18542 of 2011 and the same is pending, the present writ petition for the self same relief cannot be maintained.

5. The material on record shows that the petitioner and others have filed W.P.No.18452 of 2011, wherein this Court directed the respondents not to demolish the structures in plot Nos.18,17,8,9 and 12 in Sy.No.844/1 situated at Hill Top Colony, Malkajgiri Mandal, Ranga Reddy District. Further, the petitioner has not mentioned in the writ affidavit with regard to the extent of the land purchased by him in plot No.9 in Sy.No.844/1. Since the interim orders are subsisting in respect of the petitioner's land, this writ petition for the self same relief cannot be maintained.

6. Hence, the Writ Petition is dismissed. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

A. RAJASHEKER REDDY, J.

19th March, 2015

sj