

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29789 of 2015

DATED : 14.09.2015

Between :

Kolakaipudi Ramanareddy S/o.Kota Reddy,
Aged 75 yrs, Occu : Business,
Shop No.1, Municipal Marketing Building,
Ground Floor, Ward No.2, Trunk Road,
Kavali, SPSR Nellore District & others.

.. Petitioners

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary
Department of Municipal Administration,
Secretariat, Hyderabad & others.

.. Respondents

This court made the following :

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ORDER :

The petitioners claim to be the lessees of shops in Municipal marketing building belonging to the 4th respondent-Municipality. In this writ petition they are challenging the notice issued on 28.08.2015 asking the petitioners to vacate the premises on the ground that the building is in dilapidated condition and requires to be demolished and a fresh construction is required to be undertaken.

2. In this writ petition the petitioners are only seeking for extension of time for vacation of the premises on the ground that they have been in occupation of the premises over a period of 15 years and it is not easy for them to re-locate to any other premises. It being their only source of livelihood, any abrupt displacement would cause hardship and suffering to the petitioners.

3. Learned Standing counsel, produced report prepared by the Municipality on the assessment of strength of the building and submits that the building will not survive for long time and it has to be immediately demolished and fresh construction needs to be taken. It is not in the interest of the petitioners to continue in the same premises. However, learned standing counsel is fair in submitting that reasonable time may be granted to the petitioners for vacating and handing over possession of the premises to the Municipality.

4. Having regard to the submissions made, and in view of the request made by the learned counsel for the petitioners for grant of time and having regard to the stand of the respondent-Municipality, this writ petition is disposed of granting three (3) months time from today, to the petitioners for vacating and handing over possession of the subject premises to the respondent-Municipality. After expiry of the time granted to the petitioners, it is open for the respondent-Municipality to take further course of action as warranted by law, if the petitioners do not vacate the premises and the petitioners are also directed to ensure that no untoward incident causes on account of their occupation of the subject building to the passers by or the persons who visit the premises. It shall be their responsibility, if any untoward incident occurs on account of their occupation of the building. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

**P.NAVEEN
RAO,J**

14th September, 2015.
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